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CONTENTS

	Page
The Presidency	3
The Life of a Senator	23
The Life of a Congressman By Thomas B. Reed, Formerly Speaker of the House of Representatives.	43
The Supreme Court of the United States	67
How Jack Lives By John D. Long, Ex-Secretary of the Navy.	93

iv Contents	
	Page
The Naval War College By John D. Long, Ex-Secretary of the Navy.	123
How Our Soldiers are Fed By William Cary Sanger, Assistant Secretary of War.	151
How the Army is Clothed By General M. F. Ludington, Quartermaster-General, U.S.A.	171
Good Manners and Diplomacy By William R. Day, Ex-Secretary of State.	183
How Foreign Treaties are Made . By Henry Cabot Lodge, Senator from Massachusetts.	201
Uncle Sam's Law Business By John K. Richards, Solicitor-General of the United States.	223

The American Post Office .

General.

By W. L. Wilson, Ex-Postmaster-

243

LIST OF ILLUSTRATIONS

				Faci	ing	page	
Theodore Roosevelt			•			3	
The Senate Chamber					•	23	/
The House of Represen	ıtat	ive	S	o		43	
David J. Brewer	a		•			67	V
John D. Long	•	•	•			93	
Jackies on Board the "	Ne	\mathbf{w}	Yo	rk '	,	96	/
Jackies at Mess		•				100	10
Naval War College .	•					123	ELINE .
The "Indiana"						130	V
Upper Deck of a Battle	eshi	p		•		140	1
A Field Cook-House			•			151	V
Group of Officers and M	Mer	1				171	/
East End of White Ho	ouse)				183	1
Henry Cabot Lodge	•					201	~
John K. Richards .						223	Server -
Post Office Departmen	t B	uil	din	g		243	1



THE PRESIDENCY
BY THEODORE ROOSEVELT
Wow President of the United States







THEODORE ROOSEVELT

THE PRESIDENCY

BY THEODORE ROOSEVELT

NOW PRESIDENT OF THE UNITED STATES

THE President of the United States occupies a position of peculiar importance. In the whole world there is no other ruler, certainly no other ruler under free institutions, whose power compares with his. Of course a despotic king has even more, but no constitutional

Note. The article, of which this chapter is a part, was written expressly for The Youth's Companion by Mr. Roosevelt in 1900, while he was Governor of New York, and previous to the Republican National Convention, which nominated him for Vice-President. It will be clear to all readers that the writer of the article could not have foreseen the place he was destined to occupy, and the views expressed are not to be regarded as those of an incumbent of the office.

monarch has as much. In England the sovereign has much less control in shaping the policy of the nation, the prime minister occupying a position more nearly analogous to that of our President. The prime minister, however, can at any time be thrown out of office by an adverse vote, while the President can only be removed before his term is out for some extraordinary crime or misdemeanor against the nation. Of course, in the case of each there is the enormous personal factor of the incumbent himself to be considered entirely apart from the power of the office itself. The power wielded by Andrew Jackson was out of all proportion to that wielded by Buchanan, although in theory each was alike. So a strong President may exert infinitely more influence than a weak prime minister, or vice versa. But this is merely another way of stating that in any office the personal equation is always of vital consequence.

It is customary to speak of the framers of our Constitution as having separated the judicial, the legislative, and the executive functions of the government. The separation, however, is not in all respects sharply defined. The President has certainly most important legislative functions, and the upper branch of the national legislature shares with the President one of the most important of his executive functions; that is, the President can either sign or veto the bills passed by Congress, while on the other hand the Senate confirms or rejects his nominations. Of course the President cannot initiate legislation, although he can recommend it. But unless two-thirds of Congress in both branches are hostile to him, he can stop any measure from becoming a law. This power is varyingly used by different Presidents, but it always exists, and must always be reckoned with by Congress.

While Congress is in session, if the

President neither signs nor vetoes the a bill which is passed, the bill becomes a law without his signature. The effect is precisely the same as if he had signed it. Presidents who disapproved of details in a bill, but felt that on the whole it was advisable it should become a law, have at times used this method to emphasize the fact that they were not satisfied with the measure which they were yet unwilling to veto. A notable instance was afforded in President Cleveland's term, when he thus treated the Wilson-Gorman tariff bill.

The immense federal service, including all the postal employés, all the customs employés, all the Indian agents, marshals, district attorneys, navy-yard employés, and so forth, is under the President. It would of course be a physical impossibility for him to appoint all the individuals in the service. His direct power lies over the heads of the departments, bureaus, and more important offices.

But he does not appoint these by himself. His is only the nominating power. It rests with the Senate to confirm or reject the nominations.

The Senators are the constitutional advisers of the President, for it must be remembered that his Cabinet is not in the least like the cabinet of which the prime minister is head in the English Parliament. Under our government the Secretaries who form the Cabinet are in the strictest sense the President's own ministerial appointees; the men, chosen out of all the nation, to whom he thinks he can best depute the most important and laborious of his executive duties. Of course they all advise him on matters of general policy when he so desires it, and in practice each Cabinet officer has a very free hand in managing his own department, and must have it if he is to do good work. But all this advice and consultation is at the will of the President. With the Senate, on the other hand, the

advice and consultation are obligatory under the Constitution.

The President and Congress are mutually necessary to one another in matters of legislation, and the President and the Senate are mutually necessary in matters of appointment. Every now and then men who understand our Constitution but imperfectly raise an outcry against the President for consulting the Senators in matters of appointment, and even talk about the Senators "usurping" his functions. These men labor under a misapprehension. The Senate has no right to dictate to the President who shall be appointed, but they have an entire right to say who shall not be appointed, for under the Constitution this has been made their duty. In practice, under our party system, it has come to be recognized that each Senator has a special right to be consulted about the appointments in his own State, if he is of the President's political party. Often the

opponents of the Senator in his State do not agree with him in the matter of appointments, and sometimes the President in the exercise of his judgment finds it right and desirable to disregard the Senator. But the President and the Senators must work together if they desire to secure the best results. But although many men must share with the President the responsibility for different individual actions, and although Congress must of course also very largely condition his usefulness, yet the fact remains that in his hands is infinitely more power than in the hands of any other man in our country during the time that he holds the office; that there is upon him always a heavy burden of responsibility; and that in certain crises this burden may become so great as to bear down any but the strongest and bravest man.

In the aggregate, quite as much wrong is committed by improper denunciation

of public servants who do well as by failure to attack those who do ill. There is every reason why the President, whoever he may be and to whatever party he may belong, should be held to a sharp accountability alike for what he does and for what he leaves undone. But we injure ourselves and the nation if we fail to treat with proper respect the man, whether he is politically opposed to us or not, who in the highest office in our land is striving to do his duty according to the strength that is in him.

We have had Presidents who have acted very weakly or unwisely in particular crises. We have had Presidents the sum of whose work has not been to the advantage of the republic. But we have never had one concerning whose personal integrity there was so much as a shadow of a suspicion, or who has not been animated by an earnest desire to do the best possible work that he could for the people at large. Of course, infirmity of purpose

[10]

or wrong-headedness may mar this integrity and sincerity of intention; but the integrity and the good intentions have always existed. We have never hitherto had in the presidential chair any man who did not sincerely desire to benefit the people, and whose own personal ambitions were not entirely honorable, although as much cannot be said for certain aspirants for the place, such as Aaron Burr.

Corruption, in the gross sense in which the word is used in ordinary conversation, has been absolutely unknown among our Presidents, and it has been exceedingly rare in our Presidents' Cabinets. Inefficiency, whether due to lack of will-power, sheer deficiency in wisdom, or improper yielding either to the pressure of politicians or to the other kinds of pressure which must often be found even in a free democracy, has been far less uncommon. Of deliberate moral obliquity there has been but very little indeed.

In the easiest, quietest, most peaceful

times the President is sure to have great tasks before him. The simple question of revenue and expenditure is as important to the nation as it is to the average household, and the President is the man to whom the nation looks, and whom it holds accountable in the matter both of expenditure and of revenue.

It is a good deal the same thing in the nation as it is in a State. The demand may be for a consumptive hospital, or for pensions to veterans, or for a public building, or for an armory, or for cleaning out a harbor, or for starting irrigation. In each case the demand may be in itself entirely proper, and those interested in it, from whatever motives, may be both sincere and strenuous in their advocacy. But the President has to do on a large scale what every governor of a State has to do on a small scale, —that is, balance the demands on the treasury with the capacities of the treasury. Whichever way he decides, some people are sure to

think that he has tipped the scale the wrong way, and from their point of view they may conscientiously think it; whereas from his point of view he may know with equal conscientiousness that he has done his best to strike an average which would on the one hand not be niggardly toward worthy objects, and on the other would not lay too heavy a burden of taxation upon the people.

Inasmuch as these particular questions have to be met every year in connection with every session of Congress and with the work of every department, it may readily be seen that even the President's every-day responsibilities are of no light order. So it is with his appointments. Entirely apart from the fact that there is a great pressure for place, it is also the fact that in all the higher and more important appointments there are usually conflicting interests which must somehow be reconciled to the best of the President's capacity.

Here again it must be remembered that the matter is not always by any means one of merely what we call politics. Where there is a really serious conflict in reference to an appointment, while it may be merely a factional fight, it is more apt to be because two groups of the President's supporters differ radically and honestly on some question of policy; so that whatever the President's decision may be, he cannot help arousing dissatisfaction.

One thing to be remembered is that appointments and policies which are normally routine and unimportant may suddenly become of absolutely vital consequence. For instance, the War Department was utterly neglected for over thirty years after the Civil War. This neglect was due less to the successive Presidents than to Congress, and in Congress it was due to the fact that the people themselves did not take an interest in the army. Neither the regular officer

nor the regular soldier takes any part in politics as a rule, so that the demagogue and the bread-and-butter politician have no fear of his vote; and to both of them, and also to the cheap sensational newspaper, the army offers a favorite subject for attack. So it often happens that some amiable people really get a little afraid of the army, and have some idea that it may be used some time or other against our liberties.

The army never has been, and I am sure it never will be or can be, a menace to anybody save America's foes, or aught but a source of pride to every good and far-sighted American. But it is only in time of actual danger that such facts are brought home vividly to the minds of our people, and so the army is apt to receive far less than its proper share of attention. But when an emergency like that caused by the Spanish War arises, then the Secretary of War becomes the most important officer in the Cabinet, and the

army steps into the place of foremost interest in all the country.

It is only once in a generation that such a crisis as the Spanish War or the Mexican War or the War of 1812 has to be confronted, but in almost every administration lesser crises do arise. may be in connection with foreign affairs, as was the case with the Chilean trouble under President Harrison's administration, the Venezuelan matter in President Cleveland's second term, or the Boxer uprising in China. Much more often they relate to domestic affairs, as in the case of a disastrous panic, which produces terrible social and industrial convulsions. Whatever the problem may be, the President has got to meet it and to work out some kind of a solution. In midwinter or midsummer, with Congress sitting or absent, the President has always to be ready to devote every waking hour to some anxious, worrying, harassing matter most difficult to decide, and vet

which it is imperative immediately to decide.

An immense addition to the President's burden is caused by the entirely wellmeaning people who ask him to do what he cannot possibly do. For the first few weeks after the inauguration a new President may receive on an average fifteen hundred letters a day. His mail is so enormous that often he cannot read one letter in a hundred, and rarely can he read one letter in ten. Even his private secretary can read only a small fraction of the mail. Often there are letters which the President would really be glad to see, but which are swamped in the great mass of demands for office, demands for pensions. notes of warning or advice, demands for charity, and requests of every conceivable character, not to speak of the letters from "cranks," which are always numerous in the President's mail.

Perhaps the two most striking things in the presidency are the immense power

of the President, in the first place; and in the second place, the fact that as soon as he has ceased being President he goes right back into the body of the people and becomes just like any other American citizen. While he is in office, he is one of the half-dozen persons throughout the whole world who have most power to affect the destinies of the world.

He can set fleets and armies in motion; he can do more than any, save one or two absolute sovereigns, to affect the domestic welfare and happiness of scores of millions of people. Then when he goes out of office, he takes up his regular round of duties like any other citizen, or if he is of advanced age, retires from active life like any other man who has worked hard to earn his rest.

One President, John Quincy Adams, after leaving the presidency, again entered public life as a Congressman, and achieved conspicuous successes in the Lower House. This, however, is a unique case. Many

Presidents have followed the examples of Jefferson and Jackson, and retired, as these two men retired to Monticello and The Hermitage. Others have gone into more or less active work, as practicing lawyers or as lecturers on law, or in business, or in some form of philanthropy.

Altogether, there are few harder tasks than that of filling well and ably the office of President of the United States. The labor is immense, the ceaseless worry and harassing anxiety are beyond description. But if the man at the close of his term is able to feel that he has done his duty well, that he has solved after the best fashion of which they were capable the great problems with which he was confronted, and has kept clean and in good running order the governmental machinery of the mighty republic, he has the satisfaction of feeling that he has performed one of the great world tasks, and that the mere performance is in itself the greatest of all possible rewards.





THE LIFE OF A SENATOR By Henry Cabot Lodge Senator from Massachusetts







THE SENATE CHAMBER

THE LIFE OF A SENATOR

BY HENRY CABOT LODGE,

SENATOR FROM MASSACHUSETTS

American boy expected to be President of the United States, and perhaps some of them hope to fill the less exalted office of Senator. Such ambitions are wholesome, and the boys who cherish them are very apt to grow up to be good citizens and perform the highest duty of a citizen, which is to take a thoughtful, active, conscientious interest in the public affairs of his country.

Whether these hopes of great political distinction are or are not as common as they are supposed to be, it is cer-

tain that American boys ought to know about the government of their country and the manner in which it is carried on. Probably for this reason I have been asked to write about the life of a Senator. In so doing I desire, if I can, to give some idea of what the daily life of a Senator really is.

I could tell stories of the Senate and of the famous men who have been there, and of the historic scenes in which they have taken part. But these things are all written down in many books, and although they are very interesting, they tell what is exceptional and do not describe the everyday life and work of a Senator, which, although less exciting, is what after all you need to understand.

Let me begin by telling you very briefly what the Senate is. It is the upper branch of Congress and one of the most important of all the branches of the government. No one can be a Senator before he is thirty years old, and the

average age of members of the Senate is about fifty-nine years.

Each State is represented by two Senators, and as there are now forty-five States, there are ninety Senators. The constitution provides that no State shall, without its consent, be deprived of its equal suffrage in the Senate. In this way the Senate is so strongly guarded that nothing can change it, except what would amount to an almost complete revolution in our existing form of government.

The powers of the Senate are very large—larger than those of any other upper chamber in any representative government. The Senate, of course, shares with the House all the work of law-making, for no measure can become a law without the assent of both Houses. In addition to this the Senate has certain executive functions, which it shares with the President.

The President has the power to make [25]

treaties with foreign nations, but the treaties he makes cannot be finally agreed to or become the law of the land until they have been ratified by a two-thirds majority in the Senate.

In addition to this important part in the treaty-making power, the Senate passes upon the appointments of all important officers of the government, such as judges, ambassadors, ministers, collectors of customs and of revenue, and postmasters. None of these officers can be commissioned until the Senate has agreed to it, and if the Senate rejects any one whom the President has nominated, the person so rejected cannot have the office. From this it will be seen that a Senator has many grave duties and responsibilities. He is elected for a long term of six years, and he shares with his colleague the work of representing a constituency which is the entire population of a State, generally ranging from one million to six million people. Under these circumstances the

life of a Senator, if he attends to his public duties, is a very busy one, and leaves him little time for anything else.

I will try now to give an idea of what that life is by telling the story of the occupations of a day—not an exceptional one, but the average day of a United States Senator.

Before a Senator leaves his house in the morning two or three people are likely to come to see him, and the people who come at this hour are generally those who desire his aid in getting an office, or for some other object personal to themselves.

If a Senator is wise he will make a rule not to see people at his house, but will insist that they shall call upon him at the Capitol, when he can see them either in the reception-room or in his own committee-room. This rule has the advantage of giving a Senator an opportunity to eat his breakfast in peace.

Immediately after breakfast he goes to the Capitol and looks over his morning

mail. Reading the mail is something which sounds very simple, but really consumes a great deal of time. The number of letters received by Senators varies a good deal on account of the differences in the population of the various States, but in all cases it makes a large part of the day's work. In my own case thirty to forty letters will about make the average of a day's mail, and it is often much larger than this when some measure like the tariff, in which many people are interested, is pending in the Senate.

The letters a Senator receives are on all sorts of subjects. People write asking for public documents, for information as to pension claims and patents, as to bills before Congress, and what Congress is likely to do on certain measures.

In addition to these many inquiries as to business of a public character, a Senator or Member of the House receives numerous letters approving or criticising his votes or speeches and advising

him as to what ought to be done by Congress.

Then there are the people who want autographs and stamps, or money for private or public charity.

The anonymous letter writers are the most easily disposed of, for their cowardly letters are usually abusive, and the rule is to put an unsigned letter into the wastebasket unread. All other letters, however, require an answer, and are entitled to an immediate reply. Now the work of reading thirty or forty letters every day, and dictating answers to them, takes a great deal of time and thought, and fills up all the minutes which are not otherwise occupied.

A Senator, after disposing of his morning mail, is obliged to go to the meetings of the various committees of which he is a member. The Senate committees generally meet at half-past ten or eleven o'clock and sit until the session of the Senate begins at noon. Some of the

committees seldom meet and have but little to do, but most of them meet once or twice a week and have a great deal of important business to dispose of. As every Senator is a member of five or six committees, his mornings are pretty well taken up.

At twelve o'clock the Senate meets, and as a rule sits until five in the afternoon. At the beginning of a session the Senate sits for a much shorter time, and at the end for a much longer time, often until late in the evening and sometimes all night. But on an average the daily session lasts for five hours.

The first two hours, from twelve to two, are called the morning hour, and are devoted to the introduction of petitions, bills and resolutions, the presentation of reports of committees, the transaction of business to which there is no objection, and the discussion of matters which have come over from the morning hour of the previous day, and have not yet been

placed on the calendar or referred to a committee.

At two o'clock the morning hour comes to an end, and the Senate proceeds to the consideration of what is called the unfinished business. In theory this should be the first matter on the calendar, but as a matter of fact the Senate hardly ever goes to the calendar, on which are placed in order the bills reported from com-The unfinished business is invariably some bill or resolution which the Senate has voted to take up without regard to its place on the calendar and consider until it is disposed of. The mass of business is so great that only a very small part of it can be considered at all, and therefore it is necessary to select the bills which shall be taken up and debated and voted upon.

The matters which have preference over all others, which in parliamentary language are known as privileged, have the right of way. The most important

are the appropriation bills, which provide for all the expenses of the government and which must be passed, because if they were not passed the government could not go on. Next to these come great measures upon which parties divide, such as those affecting the tariff or the currency.

Whenever the Senate is occupied with any of these great bills for the appropriation of money, or for the tariff or the currency, or affecting our foreign relations or our commerce, it is necessary for a Senator to be in his place in the Senate constantly, after the long speeches with which every debate begins are finished.

These bills are read by clauses, and each clause may contain something of special importance to the interests or the industries of the State which the Senator represents, in addition to its general effects as a law which touches the welfare of the whole country.

Thus it becomes necessary, when the regular work of the Senate has got fairly going, that a Senator should be constantly in the Capitol in order that he may be ready to vote and also take part in the discussion which is going on. Until a man has had a full experience at it, he does not realize what hard work it is to watch a great measure on its passage through the Senate, and to be constantly on the alert to see what amendments are proposed, and to be sure that nothing goes through to which he is opposed, and that nothing which he favors fails, without his being first heard in regard to it.

In addition to this necessity for constant attention come the frequent calls from people who desire to see a Senator on business and who are entitled to see him. These visitors send in their cards, and the Senator is then obliged to leave the Senate chamber as soon as he can, and go into the marble room to talk with his callers.

I have been called out from the Senate from twenty to thirty times in an afternoon when a great bill was pending and I wished to hear the debate. Now this necessity of seeing many people on many different subjects, when one's mind is occupied by some great question, is work of a very fatiguing sort.

In this way the time passes in the Senate chamber, and at the close of the day's session the Senator is obliged to go to his committee-room and dispose of his afternoon's mail. Then he is at liberty to go home to dinner and have his evening to himself.

But it must be remembered that the regular work of every day, which I have described, does not include the preparation which must be made for a speech. This generally involves a great deal of labor. So does due examination of the many matters which are assigned to Senators by their committees for investigation and report. All these things

must be attended to, and if a Senator fulfills the regular duties which I have described, he will find that he has but little time for anything else. With the exception about which I shall speak presently, all the work that I have mentioned properly belongs to the office and none of it ought to be neglected.

The duty of a Member of Congress or a Senator requires that he should not only attend to public questions in the Senate, — which must always come first, — but that he should also correspond with his constituents, furnish them with all the information and assistance that he can in regard to matters connected with the government business, and be ready to see them whenever they call upon him in regard to public questions, or as to bills or cases in the department which affect their interest.

To do all this properly requires all the strength, ability, and time which a man can give, even with the constant assist-

ance of the private secretary allowed by the government to each Senator.

But there is one point upon which a Senator ought to be relieved, and it is largely his own fault that he does not get relief. This is the burden of the office-seeker.

The evil is not so bad as it used to be. A large number of offices have been put under the civil service law, and are no longer the subject of patronage or favoritism. But many still remain, and Senators who are of the same party as the administration are pursued and worn out by people seeking their influence to secure some small government office.

This is all wrong. Senators are chosen to look after the public business and to care for the interests of their constituents. Their time and strength should be given to these things and not to getting an office for some one, the effect of which is a sacrifice of what belongs to the public for the benefit of an individual.

I have described in detail the occupations of a Senator, because it seemed to me important to give a truthful view of what was required of a man who holds this important office and who faithfully discharges its duties. But there is another side to it which is much more attractive, and upon which I wish to say a few words in conclusion.

The Senate of the United States is a very important and distinguished body. I do not think there is any place in political life in any country which is more worthy of a man's ambition, or which gives greater opportunity for work of the most important kind, and for distinction of the sort best worth having.

There has been of late a great deal of outcry against the Senate, and no one would deny that it has had, like all human things, periods of failure and of shortcoming. But the view which has lately been freely expressed—that the Senate has greatly declined—is one that

finds no support in history. It has always been attacked as it is attacked now.

Read the diary of William Maclay, who was a Senator from Pennsylvania from 1789 to 1791, and you will find that he attacks the Senate as severely as any one does at the present day. And yet that was the first Senate of the United States. Its members were eminent men, whose names we are glad to recall, and who after the lapse of a hundred years everybody admits were worthy of their positions.

No doubt there may have been selfish and possibly bad men in that first Senate, but we speak justly of the great body of those early Senators as statesmen who deserve to be held in honorable remembrance.

There have been periods when the Senate had two or three men of exceptional brilliancy, and other periods when it did not have these exceptional examples of ability and learning. But the

average of character and ability in both Houses of Congress is, I believe, higher to-day than ever, and I think has risen instead of declining during the hundred years of our history.

A seat in the Senate of the United States is a place worthy of the best ambition of the best man, and is something for which any American may contend as for a great honor. In the House of Representatives and in the Senate alike, a man is called upon to take part in the government of a great nation, and to do his share toward shaping the greatest future open to any people on earth.

Many of the most distinguished men in American history have made their name and fame in the Senate.

From the Senate a man speaks not merely to his State but to the country, and if he speaks well and truthfully, according to his convictions, he will be listened to.

To have won such an opportunity to [39]

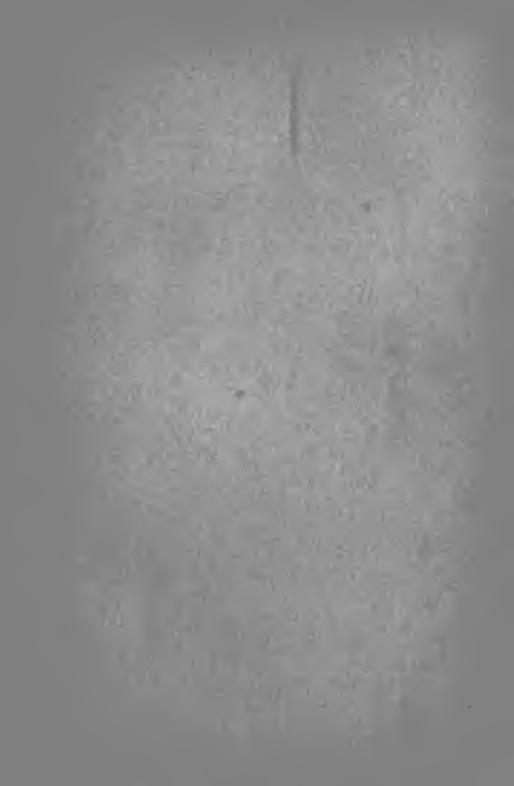
take part in shaping the laws and directing the policy of this great country, is to have gained something well worth winning. To hold a place in the United States Senate merely to have the pleasure of being called a Senator is nothing; to use worthily the great opportunity which it gives is everything, and any man may feel honored thus to devote his life to the public service.

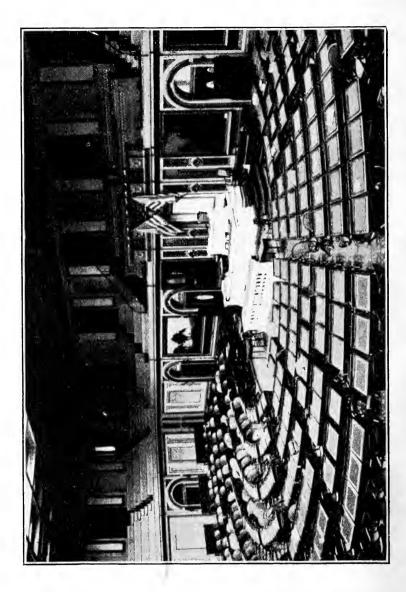
The Life of a Congressman By Thomas B. Reed

Formerly Speaker of the House of Representatives









THE UNITED STATES HOUSE OF REPRESENTATIVES

THE LIFE OF A CON-GRESSMAN

BY THOMAS B. REED

FORMERLY SPEAKER OF THE HOUSE OF REPRESENTATIVES

In the Constitution of the United States the Senate and House of Representatives together are called "The Congress." Hence, in strictness, Senators and Representatives are alike Members of Congress; but in everyday language the name is given to Representatives only, and they alone write M.C. after their names. It is the life of the Representatives only which I shall try to sketch, and of that life I can hope to give but the merest outline.

It is a fact of almost universal application that we see the bright side of every other man's occupation, and seldom the dark side. The dark side of our own lives we clearly know, and we are quite as apt to exaggerate its blackness as we are to magnify the good another enjoys.

Probably a great many young people think that the life of a Member of Congress, with five thousand dollars a year, is a life of pleasure, comfort, and luxury, full of power and dignity. If they do not, they have changed very much from the young people of my day. Of course they have changed in other ways, and much for the better, but probably not in this estimate of things.

Of course the young people are right in a measure. It is an honorable duty to perform — that of representing a hundred and fifty or two hundred thousand people in their relations with the seventy millions of other people of a great nation, the prosperity of which may be affected by

By Thomas B. Reed

the Representative's wisdom, either in giving good advice or following good advice given by others, either in acting or refusing to act.

But the picture has some shadows as well as lights. A Congressman has labors to perform as well as position to enjoy, and as a man gets older he sets less and less value on place and position.

The duties he has to perform are not by any means uniform. They depend upon the wants and needs, real or imagined, of his district. All districts are not equally interested in things at Washington. Some districts, especially those in the East and on the Atlantic coast outside of the great cities, have very little to do with the bureaus at Washington.

In the West, and especially in the newly settled States, the relations with the Interior Department, and particularly with the Land Office, are very close and very important to the individual constit-

uent. To have a hundred letters a day, all relating to business before the departments, is not an uncommon experience for a member from Kansas or Nebraska, for in those States all land titles come, or are to come, from the government; and many of them have to be finally adjudicated at Washington in case of dispute.

All the members have much to do with pensions. They bring special cases to the notice of the bureau, and hasten decisions. Here, again, the Western member is much more harassed than we of the East, because so many of our soldiers, broadened by contact with brother soldiers from all over the United States, were emboldened to try their fortunes in the frontier communities.

So also the distribution of revenue raised by taxes among the rivers and harbors, the Indians, the navy, agriculture, public buildings, and all other items of government expenditure make much correspondence and business for members.

By Thomas B. Reed

In addition to these labors, it may be mentioned that any one of the one hundred and fifty thousand constituents is at perfect liberty to write his views on religion or finance to his member, and expects at least an acknowledgment. Luckily nowadays, thanks to reform in the civil service, considerable time is saved which used to go to the service of those who wished to assist their country by holding its offices.

The official duties may be more or less, according to the prominence of the member. Every new member, like a young lawyer or merchant newly come to town, has to show what there is in him and win his own way. Distinction won in other fields of endeavor will gain a man a hearing for the first time, but not afterward. If he wishes to talk and be listened to, he had better have something to say and know how to say it.

Most men are not listened to. Most of the long speeches sent to constituents

have no effect on the House, and might as well have been delivered in an attic or poured out into a fanning-machine. That they are delivered at all is largely owing to the strange mistake which our country has not got over — that a good member must be an orator. Now every man wants to be thought a good member; hence he speechifies in the Congressional Record.

In early days, when there was little to do and members were few, no doubt the country owed much of its education to such speeches, but in these days, debate—that sort of speaking in which a man says only what he knows so well that he does not need to put it on paper—would seem to be a far more advantageous consumption of time. General education, such as it is,—and I do not undervalue it,—comes from newspapers and other sources.

The early impression a new member gets when he listens for the first few [48]

By Thomas B. Reed

weeks, is that there are in the House an astonishing number of men who know how to talk well; but after a while he sees the limitations of each man, and finds there are in the world but few Clays, Blaines, Schencks, and Garfields, who can talk well about many matters.

Another thing which rather surprises the new member is that the vote does not seem to follow the argument. He does not comprehend that people who do not talk may think, and may not think to the same conclusion as those who talk. Nor does he comprehend the tremendous diversity of interests in the House. He knows vaguely that this is a great country; indeed, he has frequently heard persons say so, and has said so himself; but he does not understand that a thousand miles of distance is a tremendous change of the point of view.

If we could only make the intelligent men all over the country realize the sectional differences of opinion which our

greatness occasions, the whole people would look with more reasonableness upon those who try to do what is feasible, and with less patience upon those whom only the whole earth in the way of legislation will content.

The new member in his first term, and often long afterward, finds the rules a perpetual stumbling-stone and rock of offense. He wants to talk and to get his measures before the House, and somehow he never can. If he stops to reason about it, he will find himself again in contact with the greatness of the country.

Three hundred and fifty-six members seem to be a large number to collect together for purposes of deliberation, and numbers are a great hindrance to that deliberation which means frequent speaking and voting. Many people wonder why each decade the number is increased instead of diminished; but the increase is likely to go on for some time in the future.

Large as our number of members is,

By Thomas B. Reed

Great Britain and France, with half our population, have each a great many more.

Indeed, when you look at the constituency, the wonder ceases. Each member of Congress represents one hundred and fifty thousand citizens, and in many districts two hundred thousand. The business which all these people have in Washington centers in the Congressman, and as I have already pointed out, it makes for him plenty of work. So great has this work become that by law each member has a clerk. Although the expense to the nation is not trifling, and the assistance was voted with some fear and trembling on our part, there has not been, so far as I know, the slightest criticism of the act.

Of what Congress does in the way of public acts, everybody has some idea. All great questions which agitate the nation come there for final settlement. Of course the settlement is always on some basis which the members think will

satisfy all or most of the people. That often turns out to be a mistake, for people often think they want what they do not want at all, and they are always ready to punish legislators who give them the bad things they thought they wanted.

Appropriation bills settle a good many Congressional questions. By them, for instance, our great lake commerce, fostered by improvements in rivers and harbors, has been built up until it much surpasses the great foreign commerce which we have with the whole outside world; and what Madison and Munroe thought we could not constitutionally do at all, we do every session with the full agreement of both political parties.

All these great questions, like the example just given, are known and noticed by many of the people. But one great business which Congress does passes without anybody's notice. Congress is the great and general court. All the com-

By Thomas B. Reed

plaints, demands, and wishes of the people come to it.

In the great majority of cases nothing is done, but of ten thousand proposed laws perhaps six per cent or less become law. So in a court of justice many cases are brought, and but few tried.

But the existence of a court where complaints can be made with a chance of redress is a great help to human life. Before and after a man has brought his suit the fact that he can have even an unsuccessful hearing goes a great way toward calming his spirit. So in Congress, if a man can have a committee examine his case, even if no remedy is found, he becomes more reconciled to the inevitable.

Members of Congress, even when assembled in performance of their duties, do not always behave amiably. Some people think their behavior is growing worse, but it is not so. Such collisions as occasionally take place have always taken place, from the time when Griswold

and Lyon encountered each other on the floor down to our day. They all happen in the same way: men get heated mentally, and sometimes physically; then they are bad-tempered, they forget where they are, and they make spectacles of themselves.

One of the worst scenes I ever saw in the House was only the culmination on a hot day in July of the bad temper of the hot months. A hundred degrees in the shade is the boiling point of men.

Perhaps there never was a House that so lived on the edge of a volcano as did the House of the Forty-fifth Congress. Everybody was angry with everybody else. This was the Congress after President Hayes was elected, when everybody thought everybody else had been cheating, and nobody could strike because in striking he must deliver his blow not only at his enemies, but at those with whom his reason taught him he would have to act in the future. Yet in that case there

By Thomas B. Reed

were no rows, because everybody felt that we could not have one without having too big a one.

It seems rather a misfortune that the nation has so little idea of what really goes on in Congress. There are no regular reports in any of our papers which will enable even a student to acquire a knowledge of what goes on from day to day. Even a member home for a week can hardly make out what has happened. In London you know every day what Parliament has done the day before.

The difference is caused by two facts: England has but one center and that is London. We have New York, Boston, Chicago, San Francisco, New Orleans, and many others. Then we publish at public expense a journal of all we say and do, and make such a wastebasket of the Record that few people have the patience to look at it regularly.

If we left the history of our doings to private enterprise, the public would insist

upon and demand and obtain regular reports, condensed so as to be within the scope of human endeavor, which would be a good thing for both Congress and the country. As it is now, it is rather a forlorn territorial legislature which is not as well reported as the Congress of the United States. I speak, of course, of regular daily reports and not of special topics.

All legislative bodies suffer in public estimation, because of the perpetual criticism to which they are obliged to submit without any chance or opportunity of reply. Hence the popular idea of such bodies is much lower than is just.

A representative body has to do the best it can to reconcile with the terms of its proposed action all the prejudices of the whole people, and to take into account their wrong views as well as their right views. Hence it is that individual members seldom are able to vote anything more than that modification of their own

By Thomas B. Reed

ideas which it is possible to enact. Of course this falls far short of the freedom of an editorial, or a sermon, or the speech of a reformer.

Where things are done in the mind only, the best can always be done; where things are done in a world full of conflicts and opposing opinions, results fall far short of the ideal best.

That there are legislatures which are corrupt I hardly doubt, but that many of them are corrupt I do not believe. So far as the House of Representatives of the United States is concerned, I quite agreed with what Mr. Samuel J. Randall once said to me after twenty years of experience: "I believe I could name on the fingers of one hand all the men I suspect could be bribed."

Of course all men are influenced by the opinions and power of other men, and a representative body is no exception. So also men like to represent the views of their people, for thereon depends the

The Life of a Congressman

continuance of their official life. Of course a good many of them in times of excitement are deluded by mere volume of noise, and mistake stage thunder for the roar of heaven's artillery; but as a rule they are reasonably patriotic, and quite capable of being right when to be so is dangerous.

If you will reflect a moment you will see that Members of Congress, from the nature of things, are, as a rule, men of standing in the communities in which they live. Something has caused each one of them to be prominent among the thirty or fifty thousand males over the age of twenty-one whom they represent. That something may not always be intellect. It certainly is not always riches, or birth, or control of great industrial enterprises. In any event each member has run the gauntlet of a nominating convention and of an election afterward.

Probably each Congress is the peer of its predecessor in the relation which it [58]

By Thomas B. Reed

bears to the intelligence of the country. It is true that the growth in wealth and expenditure in this country has drafted into industrial and commercial enterprises many able men who have preferred riches to legislative work and its fame. Many of these men would in the earlier days have made politics a profession.

But there is yet glamour enough surrounding public life, though it has been stripped of riches, to induce many able men to strive for its honors and endure its disadvantages. These men thus made Members of Congress, while they are, as a rule, men of standing, education, and ability, are limited by the wishes of their constituents and the general progress of the nation.

In some of the large cities the congressional representation may and does partake of the degeneracy of municipal politics; but even there, men like Samuel J. Randall, William D. Kelley, and S. S. Cox, to speak only of those dead, quite often

The Life of a Congressman

come to the front and go far toward redeeming their time.

The appearance of the House of Representatives when assembled is not very much in its favor. It seems and is a tumultuous and disorderly collection of men, except on those rare occasions when a great debate culminates in the speeches of the foremost men. Then decorous silence reigns. The galleries cease whispering, and the members sit intent in their seats.

It would be impossible that this should be so every day. Three hundred and fifty men with a hundred more of clerks, exmembers, and others, with noisy galleries above them, could not possibly keep still. For much of the bad order, however, the physical conditions are responsible.

The hall of the House is simply huge. The galleries alone can seat fifteen hundred people. In the gallery of the House of Commons there is not room for a hundred spectators.

By Thomas B. Reed

In the House of Representatives it takes voice as well as intellect to be heard. Some of our best men cannot reach a third of the members. This is no small misfortune. It helps to render true debate difficult if not impossible. Men will strain their eyes a long time to see, but not their ears to hear. Hence conversation and general restlessness spread over the scene.

The size of the hall also precludes the use of needed space for the retiring rooms which would naturally attract members and relieve the House as they do the Senate. It is to be feared that taking the desks out would not be a remedy, since the great hall and the large galleries would remain.

The members of the British House of Commons, approaching seven hundred in number, are lodged in a hall forty-five feet by seventy-five, and forty-one feet high. Our hall is ninety-three feet by one hundred and thirty-nine, and thirty-

The Life of a Congressman

six feet high. To be heard by all present, a Member of Parliament has to cause to vibrate one hundred and thirty-eight thousand cubic feet of air, while a Member of Congress must set in motion four hundred and sixty-five thousand feet.

The only real remedy would be to cut our hall into three parts, using the center hall for assembly, and the other two for work and reception rooms. The center hall would then be fifteen feet longer than the English hall, which has four hundred and seventeen seats. It is quite true that we should in that way lose the impressiveness of the vast hall, and it is an inspiring spectacle on the great days when silence reigns. But for everyday effect, Congress in a suitable hall would be much more pleasantly impressive than Congress in an acre lot.

If the greatness of the hall was intended to reflect the greatness of the country, it signally fails, for the little republic of Venice, more than three hundred years

By Thomas B. Reed

ago, had and still has, a council hall one hundred and seventy-five and one half feet long, eighty-four and one half feet wide and fifty-one and one half feet high.

This article is long already, and yet I must have another paragraph wherein to say that the Members of Congress on the whole, fairly represent the people whom they undertake to represent. If they are not all Solomons, either individually or collectively, their constituents are also not sons of David and Bathsheba. If you point to any radical overturns at any time in our history, and say that the rebuked men did not represent their constituents and were not up to their level, then I venture to suggest that the people themselves may not have known what they wanted until they had experienced the effects of what they mistakenly thought their legislators should give them.



The Supreme Court of the United States

By David J. Brewer

Associate Justice of the Supreme Court of the United States









DAVID J. BREWER

THE SUPREME COURT OF THE UNITED STATES

BY DAVID J. BREWER

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

THE Constitution of the United States, that instrument which Gladstone said is the most perfect document ever struck off by the hand of man at a single time, clearly states the powers vested in the Supreme Court; but the effect which those powers were to have on the life of the republic became manifest only as they were exercised.

Up to that time the judiciary was only a minor factor in the life of any nation. Even in the mother country, where alone its independence had been secured, its powers and influence were restricted by

the fact that, there being no written constitution, the authority of Parliament was subject to no limitations. The significance of this tribunal in a nation, the powers of all whose officials are granted and defined by a written instrument, was not fully realized.

Hence it is not strange that in the early life of the republic a place on the Supreme bench was considered of minor importance, and freely abandoned or declined for positions which all now consider of much less significance. John Jay, the first chief justice, resigned his office in order to enter upon diplomatic service; and when, subsequently, it was tendered to him again, declined to accept, preferring the place of governor of the State of New York.

Few cases came before the court, and most of them of no national concern. Its significance began to dawn when it was perceived that it had power to adjudge void any act of an official, or

even a law passed by Congress, if found to be in conflict with the Constitution.

A tribunal which, standing back of executive and legislative officials, could declare what they attempted to do to be of no effect, because in conflict with that organic instrument, was soon recognized as a factor of supreme importance in the nation. And that the Supreme Court was given this power by the Constitution was so clearly shown by Chief Justice Marshall, in his opinion in Marbury versus Madison, 1 Cranch, 137, that no one since has ever seriously challenged it. I quote a few sentences from that opinion:

"The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the legislature shall please to alter it.

"If the former part of the alternative be true, then a legislative act contrary to the Constitution is not law: if the latter part be true, then written constitutions are absurd attempts, on the part of the people, to limit a power in its own nature illimitable.

"Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be, that an act of the legislature, repugnant to the constitution, is void.

"This theory is essentially attached to a written constitution, and is consequently to be considered by this court as one of the fundamental principles of our society. It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each.

"So if a law be in opposition to the Constitution; if both the law and the Constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the Constitution, or conformably to the

Constitution, disregarding the law, the court must determine which of these conflicting rules governs the case. This is

of the essence of judicial duty.

"If, then, the courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the legislature, the Constitution, and not such ordinary act, must govern the case to which they both apply."

Not long thereafter the question arose of jurisdiction over States and their courts, and again, Chief Justice Marshall's masterly logic established the fact that the Constitution delegated such power to the Supreme Court. Cohens versus Virginia will stand side by side with Marbury versus Madison; the two cases which settled the now unquestioned power of the Supreme Court to compel officers and tribunals, state and national, to conform their actions to the mandates of the Federal Constitution.

Within the last decade cases have been decided by that court in which one State

has contested with another the boundaries of each; one in which the United States summoned the State of Texas to have determined whether an entire county claimed by the latter was or was not within its territory. And others of like importance are now pending before it.

It is not strange that, as the significance of its power became manifest, some who labor under the delusion that vox populi, no matter how often or how rapidly changing, is vox Dei, should see in it something to threaten democracy, as they understand the term. Once in a while we hear noisy denunciations of the court as an incongruous factor in a government by the people. The fact that its members hold office during good behavior, that it sometimes stays the hands of an excited public, is thought to interfere with the idea of a true popular government; and yet the general judgment of wise and thoughtful students

of political life and history the world over is that the stability of that court, arising from the permanent tenure of its members, is the one thing which gives promise of endurance to our democratic system of government.

The idea of permanence or stability is, of course, offensive to those who change their opinions at every election, and whose great objection to the decalogue and the Sermon on the Mount is that they are so old and have never been rewritten for modern use. Perhaps the fact of permanence will not seem so awful when the average length of the judicial lives of the justices of that court is known.

Outside the present members, the length of whose stay on the bench is still an uncertain quantity, the official lives of the justices have averaged not quite fifteen years and six months, not so long as the term of office of the judges of the Supreme Court of Pennsylvania, which

is twenty-one years, and only a trifle longer than that of the justices of the Court of Appeals of New York State, which is fourteen years.

Although it is an old saying that a wise judge enlarges his jurisdiction, the history of the court shows that it has been very careful not to go one step beyond the clear limits of its jurisdiction. It has always kept within rather than passed without the sphere established by the Constitution.

It must also be remembered by those who are jealous of its power that it initiates nothing. It cannot transfer a question from Congress to itself, and only as incidental to a bona fide controversy between individuals can any question of the validity of official action, legislative or executive, national or state, be presented for its consideration. Its only function in this direction is in occasionally checking hasty action, for by amendment of the Constitution the people can

always carry into effect that which they deliberately determine upon.

I may add that never was this function more important than to-day. It is a day of great interests and great passions. There is a manifest building up of classes, based largely on differences of wealth. and, as a consequence, a growing tendency to class legislation. At such a time the importance of a stable tribunal, not easily moved by the temporary passions of interested classes, and checking efforts to deny to any that equality of right which shines in the Declaration of Independence as its most brilliant light, and for which the Constitution was professedly established, is more than ever apparent.

It is also worthy of notice that although there have been more than fifty members of that court, never has the personal integrity of a single one been questioned. The decisions both of the court and of the individual justices have been some-

times bitterly attacked, but the attack has been based on opposition to the decision, and not upon any question of personal integrity.

John Marshall, who presided at the trial of Aaron Burr for treason, and who held firmly to the constitutional provision that any overt act thereof must be proved by the testimony of two witnesses, was loudly berated at the time. Nevertheless, no man questioned his honesty, and subsequent reflection has convinced all of the correctness of his rulings.

In the Dred Scott decision, and again in the income tax cases, the court received much criticism and condemnation; and yet all the violent assaults were upon the ignorance, mistakes, or prejudices, real or supposed, of the justices, and not at all upon their personal character.

One of the sights of Washington is the Supreme Court in session, and it impresses all visitors in a manner peculiarly its own. The court-room is a solemn-looking place.

Nine venerable gentlemen, in black robes, sit quietly listening while a single counsel addresses them. There is no haste in their proceedings, no noise or roar of the orator. Counsel seldoms lifts his voice above a conversational tone. Punctuality and regularity are obvious. At precisely twelve o'clock, noon, the crier announces the entrance of the court, and at half past four, precisely, they gather their robes about them and depart. Many a lawyer who has often tried cases in other courts feels his knees shake as he stands up before those black-robed gentlemen.

Yet it must not be supposed that they are cold and destitute of sympathy; that they sit there as mere legal machines, from whose icy, intellectual mechanics there come out cold, heartless products of unsympathetic justice. No more genial body of men is gathered in the country; none more in sympathy with every effort for the betterment of human conditions. Each has been and is a hard worker; only

those familiar with the inner life of the court have any adequate conception of the amount of work the justices have to do. Politically they are shelved; no brass band or military parade ever greets them at any place they may visit; quietly, silently they work, and yet all realize that their work has a powerful influence on the life and destiny of the republic.

As might be expected in a tribunal so constituted, old habits continue. Precedents are not lightly departed from. Many things are done as they have been done in times past. The messengers around the court are, many of them, as old as the justices, and some have been connected with the court much longer than any justice. The one who cares for the robes has been for more than fifty years an attaché of the tribunal. Two or three have been connected with it for more than thirty years. The clerk, now past middle life, began work in that office as a boy. No one in the employ of the

court is disturbed so long as he does his work faithfully and well.

Until the last two or three years the court opened at twelve o'clock and adjourned at four, the justices during those hours separately stepping behind a screen in the rear of the bench, and there taking a lunch. It was not a dignified proceeding: it was not pleasant for counsel making an argument to hear the rattle of dishes behind the screen, and to realize that some justice, whose attention he especially wanted, was comforting himself with a dozen oysters instead of listening to the argument. But so it had been for years, and so perhaps it might have continued but for the persistent efforts of one of the junior members of the court.

Although there is a solemnity in its proceedings, which are generally destitute of the humor that is often found in the trial of an action at *nisi prius*, there is occasionally a break in the solemn movement and a touch of levity, and it

may be affirmed that notwithstanding his black robe, each of the justices has a good mouth for laughter. An incident or two may illustrate this:

Whenever the court, on hearing the argument of counsel for plaintiff in error, is entirely satisfied that he has no case, the chief justice is apt to say to counsel for defendant in error that the court does not care to hear further argument. At one time Hon. Matthew Carpenter from Wisconsin was counsel for plaintiff in error, and opened the case. Before he was through the court was satisfied that there was nothing in it, and so when he had concluded, and counsel for defendant in error arose, Chief Justice Waite said, "The court does not care to hear any further argument."

Counsel was a little deaf, and although noticing that the chief justice spoke, did not hear what he had said, and turning to Mr. Carpenter, who sat beside him, asked what had been said.

"Oh, hang it!" replied Carpenter, in tones audible to the bench. "The chief justice said he would rather give you the case than hear you talk."

At another time Hon. C. E. Mitchell. ex-Commissioner of Patents, was arguing in support of the validity of a patent for a collar button. It required no little ingenuity and ability to make manifest the novelty and utility of the supposed invention. A very earnest and forcible argument (one which, I may add parenthetically, finally convinced the court of the validity of the patent) was being made by the excommissioner when one of the justices, who has the appearance of a rector of an Episcopal church, interrupted him by asking, with all due solemnity, whether counsel claimed, as one of the elements of the novelty and utility of the patent, that if the button fell out of a man's shirt, as he was dressing, and rolled under the bed, the owner could find it without swearing? Not expecting a question of that kind, Mr. Mitchell was for a moment a little nonplussed, but soon recovered, and disavowed, in behalf of his client, any claim for such an impossible invention.

Among the stories which have come down from the traditions of the court is this about Chief Justice Marshall. He and some of his associates boarded in the same house and took their meals at the same table. At the instance of one of their number, it was agreed that they stop taking wine at their meals, except in case of rain, and then, doubtless, to ward off the prevalent malaria.

The chief justice was fond of his Madeira, and after two or three days without any rain, he said at dinner, "Brother Story, will you go to the window and see if it is raining?"

Justice Story went to the window, examined the heavens, came back, and said that it was not raining, and that there was not a cloud to be seen.

"Well," replied the chief justice, "our jurisdiction extends over a large extent of territory, and I am sure it must be raining somewhere in our jurisdiction; let us have the Madeira."

While in session the associate justices are seated on either side of the chief justice, in the order of their commissions; the oldest in commission on his right; the next oldest on his left; the third is second on the right and the fourth second on the left, and so on alternately, the youngest in commission occupying the seat on the extreme left.

When Justice Field was the senior associate this arrangement produced this curious result: the names of the justices on the right had but a single syllable, — Field, Gray, Brown, and White, — while the names of those on the left had two syllables — Harlan, Brewer, Shiras, and Peckham. All were married, but no one of the justices on the right had ever had any children, while each of those on

the left had both children and grand-children. The colors were all on the right, — Gray, Brown, and White, — while the left was colorless.

In 1877 the court was called upon to take part—or at least some of the justices were—in the famous Electoral Commission, which decided the question of the presidency between Tilden and Hayes. This commission was composed of five members of the House, five members of the Senate, and five justices of the Supreme Court.

The project for such a commission had been for a few days under discussion. The day before the bill therefor was introduced into Congress, or perhaps before its details were known, Justice Clifford, who was the senior associate justice, called the clerk of the court into his room and dictated letters to be sent to the presiding officers of the Senate and the House, positively declining to sit on any such tribunal.

When the text of the bill was made public, and it appeared that the senior associate justice was to be the presiding officer of the commission, Justice Clifford called the clerk and asked if the letters had been sent. The reply was in the negative. Thereupon he took the letters and destroyed them. He sat on the tribunal and presided with great propriety and dignity. Why he changed his determination so promptly is a matter which can only be surmised, as no reason was ever given.

One thing more deserves mention. Not infrequently complaints are made of the dilatoriness of the court, and it is undoubtedly true that it does not dispose of so many cases, or work with such rapidity, as other appellate courts; but in no court are the questions presented of more far-reaching importance, and in none, therefore, is the duty greater of care and thoroughness in examination and consideration. The manner in which

business is transacted indicates the efforts to secure such care and consideration.

In addition to hearing the oral arguments of counsel, each justice, during the arguments and thereafter at his home, has a printed copy of all briefs and the entire record of the case. Saturday of each week is the day of conference,—the day on which no open sessions are held, — and at that conference, the cases which have been argued or submitted are called by the chief justice and discussed. Such discussion is free and full. Each justice is expected to have examined the record and the briefs, and to be prepared to express his individual opinion. In important cases, the discussion is not infrequently continued from week to week.

After it has been discussed as fully as any one desires, the roll is called by the chief justice, and a vote taken on affirming or reversing. Saturday night, after the conference is over, the chief justice assigns the cases that have been decided to the

different justices for opinions. No one knows in what case he may be called upon to prepare the opinion until it has been decided.

Thereafter the justice receiving a case writes an opinion in accordance with the views of the majority, as expressed in the conference, supporting it by such arguments and citations of authority as seem to him necessary, and sends the opinion thus written to the printer. Nine copies are struck off, and a copy is sent to each justice.

Suggestions, objections, and criticisms of all kinds are returned by the other justices to the writer of the opinion. Often the number of suggestions and criticisms is so great that the opinion is rewritten, and copies thereof are printed and circulated. Thereafter the case is called up again in conference, and the opinion, with the criticisms and objections, is discussed, and those criticisms and objections are approved or voted down by the ma-

jority. Not until after this is the opinion ready for announcement.

It will be seen, therefore, that every case is carefully sifted before the decision is made public. And while it would be absurd to claim infallibility, for that does not belong to human tribunals, it may safely be said that there are few, if any, tribunals in the world in which greater care is taken to secure an absolutely just and right conclusion. It is not strange, therefore, that when a case has passed through such handling, the opinions of the justices are quite firmly fixed. It is not often that they are convinced of error or mistake, and thus petitions for rehearing are seldom sustained.

Such are some of the features of the outer and inner life of the Supreme Court of the United States. Is it too much to say that it is all-important for the well-being of this republic, and that nothing should be done to abridge its powers or hamper its usefulness? In its stability

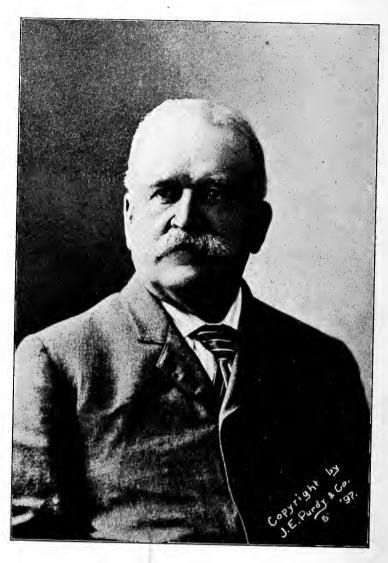
and permanence, is found assurance that popular government will not degenerate into government by the mob; and while it continues an unimpaired factor in our national life, the republic will live, a blessing to its citizens and a light to the world.











John D. Long

HOW JACK LIVES

BY JOHN D. LONG

EX-SECRETARY OF THE NAVY

THE opening of the new century naturally suggests a retrospection in all branches of science, and a comparison of things as we find them to-day with what they were a hundred years ago. I shall, while touching on the general improvement in warship construction, confine myself rather to what has been done to make our ships more attractive to the people who have to man them. To do so, it is necessary that I should tell you what many of you probably know, that in the days when the *Constitution* was the embodiment of all that was considered

stanch, powerful, and picturesque in naval architecture, the comforts enjoyed in the ships commanded by such men as Hull, Porter, Bainbridge, and Lawrence were few indeed for the officers, and correspondingly less for the men.

Steam, that powerful agent which has worked such a revolution in the method of propulsion, had not been thought of for use in warships. All operations were performed by manual power, and the extended voyages, made under sail and necessarily of long duration, entailed what nowadays would be looked upon as great hardships by both officers and men. Corned beef, or "salt horse" as it is still called by the men, and salt pork were the only meats carried, and to these were added salt fish, flour, rice, potatoes, beans, and peas. "Hardtack," of course, formed the principal bread supply, and tea and coffee the beverages. Such was the menu at sea.

In port, fresh beef took the place of [94]

salt horse; and this, with such vegetables as could be obtained, was served two or three times a week. This was the ration supplied the men, for the officers, as now, provided for themselves; but we can well imagine that, at sea, their fare was not materially better than the men's, as other food could not be carried.

A short quotation from the writings of a distinguished officer who served about forty years later will show that matters had not improved much during that period. He was a midshipman at the time, and the vessel in which he was serving was on a voyage from Norfolk to Vera Cruz. He says:

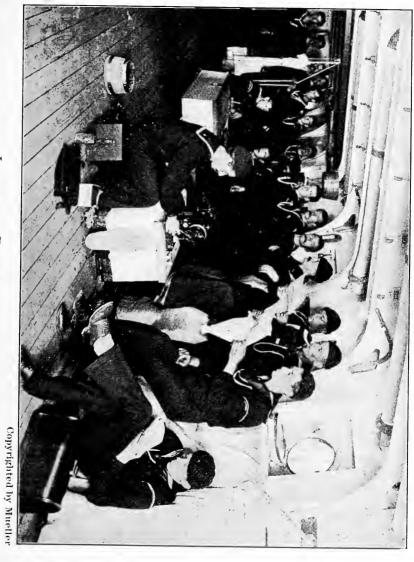
"Our hard bread was much infested with weevils and other bugs, but by rebaking until crisp, it could be eaten by hungry men without repugnance. The salt beef was often tough and indigestible, the rice badly cooked, and the salt pork and bean soup the only delicacy we had,

unless a cultivated taste made 'duff' acceptable.''

Now, thanks to the wonderful advance that has been made in preserving food of all kinds, the navy ration issued to our men is justly regarded as the best, as it is the most varied in character, in any naval service. "Salt horse" and salt pork are still retained, and are properly considered the mainstay of the meat supply at sea; for, while canned meats are issued and are enjoyed by the men for a time, they are always glad when the salt-horse day comes round.

Chief among the canned meats is roast beef, familiarly known as "soup and bully," perhaps from the fact, if it be a fact, that the first of it that was supplied bore the label, Soupe de Bouillon. This is the much-maligned army roast beef, of which the navy is, and for years has been, a large consumer.

Then come corned beef, chicken, and mutton; tomatoes, peas, beans, flour, rice,



JACKIES ON BOARD THE NEW YORK



milk, coffee, tea, and cocoa, and many other palatable and nourishing articles. Hardtack is still issued, but it is, of course, of better quality, and is known as bread; but except on long voyages the allowance is seldom drawn by the men. The officers provide for their mess in as great variety as their pockets and their tastes suggest.

While such great improvement has been made in the quality of the men's food, advance has also been made in its preparation. The mess arrangements for the men have also improved to as great a degree as is possible when the number of men and the space are considered.

Each mess of about twelve men has its caterer, who is one of its number and is supposed to have a general supervision over the mess cook and the food, and to whom each member pays monthly a small sum of money to be expended for delicacies. Then, in each mess of twelve men, three rations are "commuted" every

month. That is, the money value of the ration is paid by the government to the caterer of the mess, and the number of ship's rations issued to that mess reduced accordingly.

As the value of the daily ration is thirty cents, there is thus about twenty-seven dollars available for use by the caterer every month. In some cases the chief petty officers are permitted to commute all their rations, and thus to regulate their mess on the same lines as the commissioned officers do theirs.

We are told that in the early days of the navy the men ate from "large platforms placed on casks or suspended from the deck above," and that when eating they sat on benches. We are not told how long this arrangement continued, but it was probably short-lived, for the "messcloth" was the recognized table for more than half a century; that is, a large piece of painted canvas — a tarpaulin — was spread upon the deck for each mess, and

upon it were placed the food for that mess, and each man's mess utensils, consisting generally of a tin cup, a pan, a knife and fork, and a spoon. When the mess call was sounded by the boatswain's mates blowing peculiarly shrill notes on their pipes, each man repaired to his own mess-cloth, took his place, and helped himself to food.

Now we are returning to much the arrangement just described: the table, one for each mess, has rope slings at the ends by means of which it is suspended from hammock hooks fastened to the beams overhead; the benches have hinged legs, so that when not in use they can be thrown down, thus taking up the space of but two thicknesses of plank. When the meal is over the benches are laid on top of the tables, and the whole then stowed overhead between the beams. Agate-ware has almost entirely supplanted tinware for mess utensils.

Little or no change has been made in

the sleeping accommodations for the men; they sleep now as they did a hundred years ago, in hammocks, which are stowed in the "nettings" or the bulwarks of the ship during the daytime, and at night are swung from hooks fastened to the beams. There are many good reasons for this arrangement. In the first place, there would not be room enough on board ship to berth the crew in any other manner. Secondly, they can sleep well in a hammock at sea, whereas sleeping in a berth, or "bunk," as it is called in the navy, is not always an easy thing to do, especially if there is much sea on. Then, as I stated when speaking of the messing arrangements, it is necessary for the proper conduct of the military duties of the ship that the space where hammocks are swung at night be free of obstructions during the daytime. Lastly, the plan contributes to the maintenence of cleanliness and good ventilation.

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JACKIES AT MESS



Although I have said that the men sleep as they did a hundred years ago, an exception must be made in the case of the chief petty officers, for whom, in all the large ships, folding bunks or Pullman berths are provided. With the officers, as with the men, the arrangements are practically the same as they have always been, the improvements being such as have naturally followed new methods of construction.

There is probably no one thing that has contributed more to general comfort on board ship than the introduction of fresh-water distillers, which of course did not make their appearance until some time after the introduction of steam.

Up to that time the supply of fresh water for drinking and cooking was taken on board in casks, and its preservation looked after with the greatest solicitude, for upon its maintenance in a state of purity depended the very existence of every soul on board.

Under such circumstances it can be readily understood that fresh water was not used for bathing or for washing clothing, and that the quantity apportioned to officers and men was always kept at the lowest limit. So carefully was the expenditure of water looked after that the captain was required to note in the log the number of gallons expended each day and the number of gallons remaining on hand, a custom that is still followed.

When such care was exercised, we can well imagine to what desperate ends the dauntless Hull in the *Constitution* was reduced during the memorable chase of that gallant ship by the British fleet in 1812, when he ordered that twenty-two hundred and thirty-five gallons of water be pumped overboard, in order to lighten the ship.

The water taken on board was often anything but wholesome, and it is small wonder that disease was rampant in the early ships.

The use of steam happily changed all this, although for many years after the close of the Civil War water was not generally distilled in vessels of the navy except on long voyages. Later on, medical statistics showed that, in ships where distilled water only was used, there was almost an entire freedom from dysentery and enteric fevers, while these disorders were more or less common in vessels that used water purchased in different ports. Gradually the practice of distilling water for drinking purposes became general, and now shore water is seldom purchased, the distilling plants of our ships being ample for all demands, the latest specifications calling for a capacity of ten thousand gallons a day.

The process of distilling sea-water consists in evaporating it into steam and then condensing the steam in a "still" or distiller, which is essentially a coil of pipe through which steam is passed and around which cool sea-water circulates for the

purpose of condensing the steam. When thus made, the water, although wholesome, has a flat taste, and to make it more palatable, air is mixed with the steam as it goes to the distiller, and thus is produced what is known as aerated water.

While the liberal allowance of distilling plant on our newer ships gives to everybody all the fresh water he wants for cooking and drinking, a limit is put on the quantity served out for bathing and washing purposes. The regulations, however, provide that a certain amount of fresh water shall be served out to the men on the evening of the day preceding that on which the clothes are to be washed. Further, the specifications for the latest ships provide a laundry capable of doing at one time the washing for seventy-five men, and it is believed that this innovation will prove a great convenience to the men.

Closely allied to this subject of fresh water supply are the facilities that have Γ 104 T

been introduced for bathing. In the olden days, the only means a man had was to use a bucket and salt water, of Now bathrooms are provided course. where he may have a hot or a cold shower, and where there is always an abundant supply of water. Although the majority will probably cling to the bucket for the morning "wash," the bathroom as an institution is well received and well patronized, for Jack is generally a clean man, and where there is an inclination to be otherwise, the officers see to it that he does not neglect to give proper attention to bathing. Especially is the bathroom a comfort to the firemen and coal-passers.

Another comfort unknown in the days of sailing-ships, and for which, like all the others, we are indebted to the introduction of steam, is the method of heating, which is, in all essential particulars, identical with any system of steam-heating that may be found on shore. Before the advent of steam, a shot heated red-hot at

the galley and deposited in a bucket of sand was the generally recognized method of heating, although stoves were used to a limited extent in the officers' quarters. I believe that no other nation gives so much attention to this subject as we do, and the result is that our ships are comfortable in winter even in the coldest climates.

Probably the one thing next in order that has contributed most to the comfort and contentment of officers and men is the electric light, which of course is a thing of comparatively recent introduction. To understand how much this has added to the general comfort, it is only necessary to state that in the days of our first frigates "tallow dips" alone supplied the light, that the fixed lights in the ship were few and naturally of little brilliancy, and that in consequence work of any kind by the men for themselves after dark was not to be thought of, and that the little reading done by officers was on a very

limited scale. The allowance of candles was limited to seven a week; if a man wanted a good light he had to use several candles at once, and thus his supply would soon be exhausted.

Now, besides the fixed electric lights in the men's quarters, in the wardroom, and in the junior officers' quarters, or "steerage," as the latter was long called, there are a number of others in the men's quarters and one in every officer's room. The comfort of these can be thoroughly appreciated only by those officers of the "old navy'' who have passed through the "tallow dip" experience. Up to a certain hour at night the men's quarters are well lighted, and it is not an unusual sight to see many of them sitting around a light reading, writing, sewing, or playing checkers or backgammon, which seem to be their favorite games.

While the electric light thus ministers to their comfort after working hours, it is

none the less a boon to those who have to work during the day beneath the decks, in compartments that have little or no natural light. Especially is this true of the firemen and other men of the engineer's force, who frequently have to go into boilers and other close places to clean them.

But with all this advance in lighting, the candle still finds a place on board ship. Having lost its proud place as a lighting agent, it now does duty as a detective of impure air. The regulations make the use of the candle obligatory in testing the air in double bottoms and in boilers before men are sent into them to work.

In the old days of candles and oil lamps it was necessary, when work was to be done which required a light, to obtain permission of the captain to use one. Then the light was, if possible, enclosed in a lantern; but where it had to be open or "naked," the greatest precautions

[108]

were taken to see that damage did not follow its use. Now, thanks to the adaptability of electric power, lights are turned on in the most remote parts of the ship with absolute confidence in their safety. In the men's quarters all except the fixed lights which are necessary in making the night inspections are extinguished at eight o'clock; those in the steerage at nine, and those in the wardroom at ten, although in the latter two places it is customary for the captain to grant an extension of one hour for lights in officers' rooms.

In the early days of the navy there was probably no cause that contributed more to sickness than bad ventilation. One writer says that at the time of the American Revolution "the sanitary condition of warships, in spite of the reduction made in the number of the crew, was very imperfect. In fact, the greatest danger on an extended voyage was not so much the perils of the sea or attacks

from the enemy, as scurvy, small-pox, and other diseases."

This condition of course improved gradually, but it was not until late in the century that this government fully recognized — and it was the first to do so — the necessity and the importance of providing artificial ventilation. Up to that time, aside from the air supplied through hatches, the only air that found its way below was that supplied by "wind sails," those long canvas pipes, with "ears" to direct the wind below, which are sometimes seen even now.

Nowadays every ship of any size has an elaborate system of mechanical ventilation, by means of which fans, operated by small steam-engines or electric motors, force a continuous supply of fresh air into the living apartments and exhaust a like quantity of impure air. Ventilating ducts extend throughout the ship, having outlets in all the principal compartments, storerooms, cabins, and officers' state-

rooms; these outlets are provided with a sliding cover or louver, by means of which the supply can be regulated by the individual to suit his fancy.

Without such a system it would be almost impossible to live with any degree of comfort on board a modern ship in the tropics, for the heat given off by radiation from the boilers, steam-pipes, and engines raises the temperature of the ship to such a degree that it could not be cooled off by natural means. Portable electric fans are supplied for ventilating such parts of the ship as cannot be conveniently reached by the air ducts, and for improving the quality of the air in the double bottoms and other confined spaces.

Another thing that has added to the comfort of the officers and men, and especially to the comfort of the sick, has been the introduction of the ice machine.

All the large ships, and some of the small ones, are provided with this appa-

ratus, in conjunction with which is a cold room for the stowage of fresh meats. In our ships air is used as the cooling agent, there being objection to the use of ammonia on account of the fumes due to leakage around the machine.

The principle on which the air machine works may be familiar to some readers, but as others may not understand just how air can be used for the purpose, I will state that it is a well-known physical law that when air is compressed it is heated, and that when it expands it loses heat, or as we say, it is cooled; and this condition is turned to practical advantage in the ice machine.

The air is first compressed, and while under pressure it is cooled by passing through a coil of pipe around which a current of sea-water flows, in a manner similar to the distiller; this operation cools the air without reducing its pressure; the cooled air is then expanded, and in doing so loses heat. This air is

then returned to the machine, and goes through the same process a number of times before it is cooled sufficiently to freeze anything.

But the air is not used directly as the freezing agent, for in order to obtain the required results it is necessary to use a freezing mixture, just as in freezing cream.

For this reason the cold air from the machine is passed in pipes through a freezing mixture of brine, in which are immersed small tanks containing the water to be frozen. From the ice tank it goes to the cold room, where it passes through pipes arranged along the sides of the room, after which it goes to the "scuttle butt," which is a cask containing drinking water for the men. It then returns to the machine again to repeat the operation.

The quantity of ice that is made is rather limited, — about two hundred pounds a day, made in two "crops" of

one hundred pounds each, — but the water in the scuttle butt is always kept at such a low temperature that nobody feels the need of ice.

The recent war with Spain witnessed the introduction of a feature that has added greatly to the comfort of officers and men, and that was the sending of a supply ship laden with fresh meat and other supplies to Admiral Sampson's fleet blockading at Santiago and along the Cuban coast; in consequence, those faithful watchers lived as well as could be expected under the conditions of war.

For Admiral Dewey's fleet at Manila we purchased a "refrigerator ship," which made, and still makes, periodical trips to Australia, where she fills up with fresh meat and takes it to Manila for issue to the fleet in Philippine waters.

These are some of the noticeable comforts that the century just passed gave us. There are many others of less importance, all tending to lighten Jack's

work, to make his life on board ship more agreeable, and to give more time for drills and the various duties which a modern navy exacts of its men.

If Jack is sick he is sent to the "sick bay," which is the ship's hospital, and is excused from all work; if ill enough, he is put to bed, either in his hammock or in a swinging cot; he has a nurse to look out carefully for his wants, and is put on a special diet.

Attached to the sick bay is the dispensary, or apothecary shop, where a stock of medicines and surgical appliances is kept under the immediate care of the apothecary, who is a registered pharmacist.

A well-appointed bathroom with hot and cold water service completes the hospital equipment, the whole of which is in charge of the surgeon of the ship.

If Jack's illness is mild, or if he has been injured so that he cannot perform his duties, no restraint is placed on his

reading. The ship's library is well stocked with books of fiction and travel, and is open for the men to draw books once or twice a week.

Space on board ship is too valuable to permit any allotment for a "tonsorial parlor," but a place is assigned for the barber's chair, and here, for a small monthly sum, the amount of which is regulated by the captain, the barber, an enlisted man, shaves Jack twice a week and cuts his hair once a month.

Each flagship has a band which plays for half an hour every morning, beginning at eight o'clock, when the national ensign is hoisted, and for an hour every evening, beginning at the time of the officers' dinner, which is usually six o'clock. During the latter hour the decks are alive with dancers if the selections are such as to admit of dancing.

The flagship also carries a printer, whose duty it is to print the squadron [116]

orders and circulars, and such other matter as the admiral considers necessary. Such ships frequently print a paper, which is edited and published by the men, and which is the recognized repository for all ship's jokes.

Although there is not a rating of tailor in the navy, it has been said that every sailor is a tailor, and this is practically true of those who have served two or three enlistments. Still, in all ships there are generally some men who sew especially well, and who are skillful in the art of making sailors' clothes; and these men are always busy after working hours.

Jack has recognized the value of the sewing-machine as a labor-saving appliance, and it is not an unusual sight to see as many as half a dozen of them in a ship. These machines are of the hand variety, and are the property of the men who operate them. The price charged for making clothes is a private matter

that is regulated by the men themselves, but as there is considerable competition for the work, we may reasonably believe that the charges are not excessive.

It must not be inferred from the foregoing that Jack's life on board ship is one entirely of ease. Good, hard work is required, and he is trained to prompt and efficient duty and special exertion when emergencies occur.

Necessarily, a life on shipboard under strict rules or discipline is more confined than that of the ordinary working man on shore, except so far as the latter's limited hours of labor are concerned.

Jack is also subject to punishments for infractions of discipline, such as deprivation of leave to go on shore, sometimes a loss of wages for a definite time, and, in severe cases, confinement.

For the most part his labor is not heavy, unless in the case of the fireman and the coal-passer, whose duty takes them into the bowels of the ship and ex-

poses them to great heat, and to very hard work in lifting and shoveling coal and in attending the fires. They perform, however, only eight hours' work during the day, in periods of four hours each, with an interval of eight hours between.

In bad weather and storms comes the element of increased danger. Boats are sometimes lost, and now and then a man goes overboard: some of the most gallant exploits of the navy have been in rescues in such cases. Everything in the way of life-preservers and life-saving apparatus is provided on board ship.

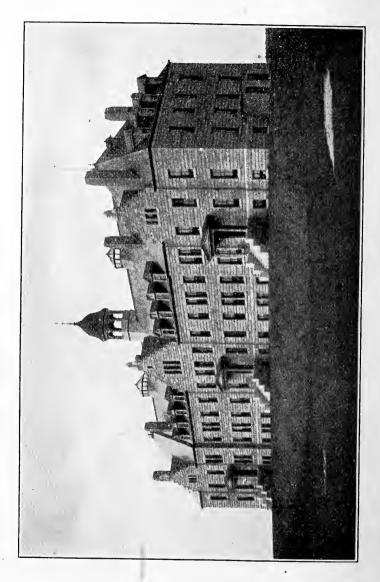
It is a life at once of long periods of ease and occasions of hardship. Perhaps, after all, the hardest thing to endure is the long hours of leisure, for which, however, all possible provision is made in the way of books and proper diversion, and to which a chaplain is expected to contribute his good help and influence. The spirit existing between the officers and

men is far better than it was ever before, and a good sailor is sure to feel the appreciation and regard of his officers, and to find his path made as easy as the discipline of the ship will permit.









THE NAVAL WAR COLLEGE

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BY JOHN D. LONG

EX-SECRETARY OF THE NAVY

O long as war remains as a method of arbitrament it will engage the most scientific studies of enlightened peoples. In the hands of the most civilized nations, whose best estate is peace, war is most a science, and its destructive power greatest and swiftest.

If this seems like a contradiction, or a meeting of extremes, it is because, in the highest stage of civilization, whatever is done is done at its best. The ancient Greeks supplemented practical experience by theoretical instruction, training young men in the art of war. Other peoples

followed their example, and from that day to this the intelligent, equipped, and trained soldier has been equal to many times his number lacking those qualities. Peace has been the time for the study of war, and war has put in practice the principles learned in peace.

The great masters of battle have all recognized the value of preparation, not only in the matter of material, but of personnel as well. Preparation for war is the touchstone of success. Almost until the moment hostilities begin, it leaves the diplomatic hand of the government free to act without the embarrassment consequent upon the effort to make ready, which in itself adds a complication to the situation. Further than this, it enables prompt and decisive action, either the striking of a blow at the beginning of war, which always produces a tremendous moral effect, or the repelling of an attack made by an equally alert and vigorous enemy.

Naval preparation includes not only the building of the latest vessels of war, their armament with the latest products of the ordnance factory, and their equipment with the latest output of inventive genius, but also the education of the men to handle the instruments placed in their hands, and of the officers to direct men, instruments, and ship to the greatest possible advantage.

For the instruction of the enlisted branch of the service there are with us the apprentice training schools, the landsmen's training ships, the gunnery school, and the electrical school; for the commissioned force, there is the Naval Academy, the Torpedo School, and the Naval War College.

It is in this last-named institution that the American naval officer is taught the science of war. At the Naval Academy at Annapolis he acquires the rudiments of his profession; on board ship he gains the experience requisite to make him a

practical man-o'-war's man; at the Torpedo School at Newport he learns the properties of torpedoes, including the methods of their manufacture and use; and at the War College, situated hard by, he teaches and is taught the larger lessons of movement, strategy, and campaign.

Before the establishment of the college, able articles on naval warfare were written and published by different officers, but there was lack of that system necessary to the achievement of more satisfactory results. Long ago the need of an advanced course of military and naval education, to enable the naval officers to keep abreast of improvements in war material, became apparent to the service; and this need was made more patent by the victories of Von Moltke in the Franco-Prussian War, when the German armies rushed to victory along the lines previously laid down by the German military staff, of which Von Moltke was the

head. With the birth of the new navy advanced instruction became imperative, and the War College was born.

Hon. William E. Chandler, then Secretary of the Navy, under date of May 3, 1884, appointed a board of three officers to "report upon the whole subject of a postgraduate course, or school of application, for officers of the navy." The report submitted five weeks later declared that there was "not only reason but necessity" for the establishment of such a course, and urged particularly the special study of war and international law.

"A cogent reason for such a school," the report states, "is that there may be a place where our officers will not only be encouraged, but required, to study their profession proper — war — in a far more thorough manner than has ever heretofore been attempted, and to bring to the investigation of the various problems of modern naval warfare the scien-

tific methods adopted in other professions.

The bare statement that our naval officers not only do not study war as a science, but have no adequate school of practice, seems in these days of broad and liberal culture so extraordinary that it is alone, in the judgment of the board, sufficient reason for the early founding of the institution which the Department has under consideration."

On October 6, 1884, Secretary Chandler issued an order establishing the college, and assigning the principal building on Coasters' Harbor Island, in the harbor of Newport, to its use. A few months later Congress made an appropriation of eight thousand dollars for the maintenance of the college, and on September 4, 1885, a class of eight officers reported for duty and attendance upon the course. The building used as the college had been an asylum for the city of Newport, but with the improvements made, it satisfactorily answered the purpose of its

[128]

transformation until the erection of the present structure, authorized by the act making appropriations for the naval service, which was approved June 30, 1890. This legislation is a corner-stone in the peace history of the navy.

Important as continued theoretical advancement is to the service, there was grave danger that the absence of general interest in the college would prevent the institution from giving the full measure of good its founders anticipated; but the erection of a building specially for college purposes, in accordance with specific authority granted by Congress, gave encouragement to the Department's efforts to organize each summer a class to discuss the subjects embraced in the course.

As an illustration of the work done in the early years of the new college, it may be interpolated here that one of the problems then considered dealt with the departure of a hostile Spanish fleet from the peninsula for Santiago de Cuba. An

American fleet was instructed to prevent its arrival. As Admiral Cervera was successful in reaching his destination, so was the imaginary squadron, the American command failing to get in touch with it because of limited scouting.

The Naval War College building is well adapted to the purpose for which it was built. Externally it is pleasing to the eye, and the internal arrangements were made under the direction of Capt. A. T. Mahan specially for the convenient execution of the work carried on and the comfort of the officers in attendance The Flemish style upon the course. of architecture was copied, and three stepped gables in front lend an air of picturesqueness in harmony with the natural surroundings. The building is of rock-faced ashlar granite, and is on an elevation which commands a view, beyond a spreading lawn dotted near the shore with the white tents of the apprentice boys, of the inner and outer harbor

THE INDIANA



of Newport and the entrance to the bay.

To obtain the best results from the discussion, and to insure a wide diffusion of the benefits arising therefrom, it has been customary for the North Atlantic Squadron to call annually at Newport and engage in such maneuvers as may most greatly assist the college in the solution of the problem under consideration at the time. The selection of Coasters' Harbor Island as the site of the college was undoubtedly largely influenced by the superior facilities offered men-of-war by the harbor of Newport. The island is nearly one hundred acres in extent, only three and one half acres of which, however, form the grounds belonging to the college, the remainder being under the jurisdiction of the apprentice training station.

The building comprises the college proper, occupying the central part, and two sets of quarters, in each corner, for

the use of officers attached to the institution or attending the course. The college part of the structure is divided into two large lecture rooms, a fine technical library, a number of offices and chart rooms, and also lodging rooms for the lecturers.

The several officers, who have served as president of the college, have kept prominent the object of its establishment—the study of war and of international law. The lectures, the library, the charts, and the data collected all deal with these subjects. The lectures usually have a close relation to the problem of the year, and in addition to the general information they impart, they prepare the minds of the class for the logical solution which is sought.

For instance, the problem of the course of 1900 dealt with "The defense of the northwest coast of the United States, north of the Columbia River, and the protection of our insular possessions—

Hawaii, Guam, and the Philippines." The discussion of this problem involved the study of the resources and the strategical, topographical, and hydrographical features of these countries and contiguous waters, and their defense against the attack of a strong naval power.

In no field of human thought does the study of history and geography play a more important part than in that of naval warfare. History searches the past and thereby illumines the future. Its reproductions of the campaigns, military and naval. that have covered almost every section of the globe, enable the seeker to learn the causes and effects of the moves made on the chessboard of war by the commanders of opposing armies and navies, and to acquaint himself with the various strategical points which they occupied, and which must, by reason of geographical position, be as important of occupation in the future.

Correlative with the study of history

is that of geography, described by Von Moltke as three fourths of the science of war. The college has paid special attention to the collection of charts, which permit the student to become intimately acquainted with the waters of the earth and the harbors strategically valuable for defense, occupation, or blockade, and of maps, which materially aid him in following the plans of campaign pursued in the past by the masters of military strategy.

Historical and geographical lectures, therefore, form a prominent feature of the course, and they are supplemented by lectures on combined military and naval operations, the sea power of nations of the world, international law, the proper organization, mobilization, and expansion of the American navy at outbreak of war, the value in action of the several types of warships, naval hygiene, and other subjects of a kindred nature. Especially important are the lectures on

combined military and naval operations and international law.

If it accomplish no other result than to effect more complete harmony of action by the naval and military services, the college will have served its purpose. Recognizing the importance of bringing the army, the navy, the marine corps, and the revenue cutter services into closer relation, Secretary Root and Secretary Gage, upon invitation of the Navy Department, ordered officers of their respective establishments to attend the courses of the Naval War College.

Secretary Root contemplates taking yet another step in behalf of military education, and under his direction a board is formulating plans for the establishment of a military war college, which shall coöperate with the Naval War College in the solution of problems dealing with combined operations, and by such coöperation insure the harmony of action so earnestly sought by the two services.

Besides the lectures on international law, which more particularly relate to its maritime phase, international questions are put to each officer for solution, and this feature of the course may perhaps be best understood by quoting problems from the list presented for determination during the course of 1900:

"War existing between the United States and a European power, you are exercising the right of search in Eastern Asia, to facilitate operations against a colonial port. The port is blockaded by sea, but partly invested only on the land side. It is especially important that no supplies that will continue to facilitate defense be allowed to reach this blockaded port by sea, or indirectly overland.

"Cruising offshore, you meet a ship of a nation with which we are at peace, carrying, as part of her cargo, rice and other provisions that are marked for mercantile firms in the besieged port. The papers and circumstances are very clear

as to the ship's destination, which is a neutral port on the same peninsula as the besieged port. What action do you take toward the neutral vessel?"

There is another feature of the college course that goes far to complete the tactical and strategical education of an officer, and that has a practical side of decided value. War games, simulating as nearly as possible the actual conditions of war, are played and watched with the most absorbing interest. They benefit players and spectators alike in causing the observance of the principles of warfare, the application of lessons taught by individual experience, and the practical use of information acquired during the course. Moreover, the playing of the games engenders quickness of thought and action, which must necessarily produce results upon occasions of emergency.

Dealing with the art of naval warfare, and involving in their treatment the handling of a ship or ships in battle and the

distribution of the entire navy over the area of hostilities, the games afford an opportunity for the display of intellectual ability and skill that is equally interesting and beneficial to the gray-haired captain, who is a participant, and to his youthful junior, who is an interested spectator.

The games are of three kinds—the Duel, or Single Ship Game, the Fleet Tactical Game, and the Strategic Game. Two ship commanders and an umpire play the Duel; two fleet commanders, two umpires, and an arbitrator, the Tactical Game; and the Strategic Game requires a still larger force because of the more extensive operations it involves. The elaborate preparation and study required by the Tactical and especially by the Strategic Game are not needed in playing the Duel, although, of course, it demands closest attention and the employment of the greatest skill.

The Duel is played on a table covered with stretched paper upon which, during [138]

the engagement, the courses of the opposing vessels, in blue and red, are plotted. To obtain mathematical accuracy, scale rulers, scale turning-cards, torpedo cards, and dice, which determine the chances in torpedo firing, are used, and to show the position of ships and the direction in which they are heading, each commander has at his hand a small model arranged for keeping gun-fire tally. These models represent battleships of the *Iowa* class, and are supposed to have batteries of four twelve-inch guns in two turrets, forward and aft, and eight eight-inch guns installed in pairs in turrets arranged quadrilaterally.

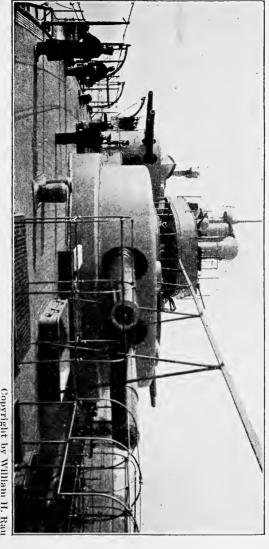
The rate of speed and the maneuvering power of the opposing ships are fixed by pasteboard scales, which are chosen by lot. It is permissible for a player to operate his command at full or half speed, and he may stop, losing two and three minutes respectively as he changes from full to half speed or comes to a stop. The actual rate of fire maintained by

guns of the navy, and the chances of torpedo hits, are all carefully calculated so that there is no difficulty in determining the victor. The game may continue until the expiration of a fixed time, or until one of the ships is forced into neutral waters or is rammed or torpedoed.

During the course of 1900 three Fleet Tactical Games were played, the central purpose underlying them being to obtain "a definite value in some well-known unit for a given superiority of speed." As an illustration of a tactical study the following, one of the problems of the year, may be of interest:

"Coast Survey. Charts 111, 112, 113, 114.

"October 1st. A blue fleet of three squadrons is ordered to guard the coast from Monomoy to The Race, assisted by three groups—twenty in each group—of the Mosquito Fleet. A red fleet of four squadrons is known to be approaching this section, intending to establish a



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UPPER DECK OF A BATTLESHIP



naval base at some point there, or to pass through The Race to some point in Long Island Sound. The blue admiral is directed to prevent the enemy from succeeding in any of these aims. How will he dispose his force to achieve this? What will be his movements and plans?"

The Tactical Game is played on a soft pine board ten feet square, divided into twenty-five squares and representing a sea space of twelve miles square. Besides the board, the apparatus in use includes two fleets, red and blue respectively, of eight battleships each; a gun-fire wand, marked on one side for broadside fire and on the other for end-on fire, which is equal to a distance of six thousand yards, within which vessels are considered as "in action"; a turning-scale, which is based on the curve of that made by the North Atlantic Squadron four years ago. and which outlines the course of the fleet when a change of direction is ordered; a score card, metal rings, which are placed

on each ship to denote a reduction in gun-fire, and a list of battle signals.

When play begins each player hands the arbitrator two signals, one for the first and the other for the second move, and when the first is completed, the third signal must be handed to him, and so on until the game closes. The scoring begins when the opposing fleets are within six thousand vards of each other, and a ship is destroyed and the victor credited with one thousand points if she remain for twenty minutes in a position two thousand yards from her adversary. When the gun-fire of a vessel is reduced one half, and five hundred points are scored against her, a metal ring is placed upon Should the fleets come so her mast. near together as to make tactical maneuvers impossible, the arbitrator announces "close action," and the vessels are then fought by their captains without further regard to fleet tactics, although either player may signal "Follow movements

of commander in chief," provided the flagship be the leading vessel.

The Strategic Game, covering such a wide scope of operations, necessitates much preparation and close study. This is an example of a strategic situation:

"A red fleet of ten battleships, six armored cruisers, ten protected cruisers, and five destroyers, convoying ten thousand men in forty vessels, including colliers and supply vessels, leaves Halifax at 2 P.M. on June 16th. It has positive orders to seize Vineyard Haven and establish a base there inside of three days. It is known that a blue fleet of five battleships, two armored cruisers, twenty cruisers, and about fifteen smaller vessels is at anchor inside Sandy Hook on June 16th. Red, in order to win, must make his port without encountering a force one quarter his own at sea. Speed of convoy limited to nine knots. Weather good. Daylight 5 A.M. to 7 P.M. Time limit, noon, June 20th."

In the solution of this problem, the arbitrator occupies a central office and communicates with the players, stationed in separate rooms, by means of umpires. The arbitrator records on charts of the theater of operations the movements and positions of the opposing forces, determines the time and duration of each move, and announces such decisions as may seem proper. Each commander in chief and commander of detached vessel is provided with charts upon which, in the discretion of the arbitrator, the positions of the hostiles are plotted. This game requires an exhaustive study of strategy, a close acquaintance with geography and hydrographical conditions, the careful framing of signals and orders, and to insure success, a comprehensive understanding of the art of war.

There is no longer any question as to the practical value of the Naval War College. The modern naval powers of continental Europe, as also Japan, have

followed the example of the United States in providing advanced studies in the art of war for the benefit of the officers of their respective services; and the agitation in the British navy for the creation of such a course is expected shortly to lead to its addition to the curriculum of the Naval College at Greenwich.

It is easy to say that the great naval warriors of history won their victories without any such schooling; but it must be remembered that they met men who also had not had it. They were at least as well trained as their foes. Nothing. of course, can ever supply the lack of brains, innate powers, and the gifts of nature. Dash and brilliancy are born, not made. But as it has been said. God is on the side of the heaviest battalions: so the leader who adds to natural qualities the training of the school the fruits of scientific study has the best chance of success. Of two "quick eyes" the one accustomed to aim the

How Our Soldiers are Fed

gun barrel is the better. The man who "never set a squadron in the field" is at a disadvantage with the man who has practised setting it, even on the field of a chart.

The most important effect of the attendance of officers upon the course at Newport has been to awaken them to the imperative necessity of keeping step with the rapidly increasing inventions of mechanical science and of familiarity with their use. Officers of the American navy are not selected to command fleets merely because of seniority in rank; and it therefore behooves the service to fit each officer to do his duty and to do it in time of emergency as an American naval officer should.

The college furthermore has caused the study of various areas and possible campaigns, resulting in the preparation of plans contemplating the protection of the North Atlantic and Gulf coasts, the Pacific slope, and of our Pacific dependencies.

The preparation of these defensive plans has naturally familiarized officers with the strategical conditions of our own coasts, with the character of the waters along our shores, and with the facilities afforded by the various harbors. The war games of the college have taught them the wisest dispositions to make and the best methods of maneuvering ships and squadrons, and how most effectively to fight their machines when action comes. The international law problems they are called upon to solve in theory will confront them in reality as the American flag and the American citizen penetrate the most remote sections of the earth.

Should war come, the country will find its honor safely guarded by a navy whose officers are not only inspired by its glorious and inciting memories, but who possess an intelligent understanding of the conditions that confront them, and who are prepared by their theoretical in-

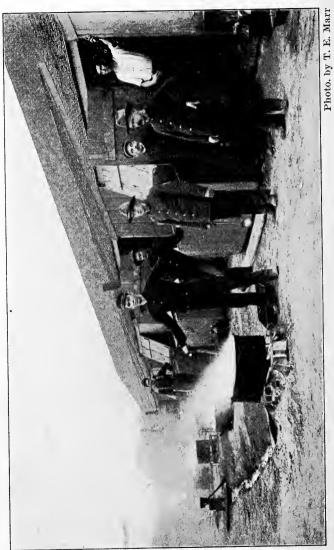
struction to take practical advantage of every opportunity. The higher education, which has placed the United States in the front rank of intelligent nations, finds few finer illustrations than in the studies, the standards of education, and the accomplishments of its naval officers.



By Colonel William Cary Sanger, Assistant Secretary of War.







ruoto, ny r.

A FIELD COOK-HOUSE

HOW OUR SOLDIERS ARE FED

BY WILLIAM CARY SANGER

ASSISTANT SECRETARY OF WAR

REDERIC THE GREAT, after years of experience in leading and fighting battles, said, "The art of armies winning victories is lost without the art of feeding the troops." And a French general said with equal truth, "War may be summed up in two words: Bread and powder."

The defeat of the enemy is the great end of war, but to attain this end the soldiers must be in such physical condition that they can win the battles. The best armament, the ablest leadership,

even personal courage, will not save the force which is without the food necessary to support life.

Wellington recognized the importance of keeping his men in good condition, and he said with proper pride that while many officers could lead men, he could feed them.

After the death of Wellington, England, in a fit of economy, abolished the transport train which he had organized, and the record of the Crimean War tells that if the work of supplying the army is not well done, needless suffering will surely result.

Sir Charles Dilke, in speaking of this war, said: "Our most advanced outposts of the Crimea were never a full day's march from the sea, and it would have seemed to be a simple task to provide for the army in the field, yet the whole of our plans utterly broke down. The horses of the cavalry and artillery were destroyed by doing common transport

work, for which they should never have been used, and the army of the richest nation in the world, commanding the seas, starved, almost within sight of its own ships, from want of proper arrangements as to food, rotted for lack of sanitary provisions, and, from the absence of that care which is the business of a general staff, became a wreck of itself."

There is a touch of pathos in the statement made by Lieut. José Muller y Tejeiro, second in command of the naval forces of the province of Santiago de Cuba, in a report on the battles and capitulation of Santiago, that "if there had been flour and bacon the soldiers might not have become weakened and sick."

The commissary and quartermaster departments are charged with the responsibility of procuring and getting to the troops the necessary supplies. It is of course comparatively simple to do this when the troops are in permanent camps,

but it is necessary that any fighting force should be ready to move at a moment's notice, and wherever the men go the supplies must follow.

The magnitude of this work is illustrated by some interesting facts which Colonel Sharpe of the commissary department has collected in his prize essay on the art of supplying armies in the field.

When Grant advanced upon Richmond after crossing the Rapidan the troops numbered about one hundred and twenty-five thousand men. There were four thousand three hundred wagons, eight hundred and thirty-five ambulances, thirty thousand cavalry, ambulance, and team horses, four thousand private horses, and twenty-two thousand mules. General Ingalls, on July 1, 1862, after an inspection of the Army of the Potomac, reported that it had three thousand one hundred wagons, three hundred and fifty ambulances, seventeen thousand five hun-

dred horses, and eight thousand mules. In the Gettysburg campaign the trains numbered over four thousand heavy wagons.

The German troops which invested Paris required daily the following supplies: Four hundred and forty-four thousand pounds of bread, one hundred and two thousand pounds of rice, five hundred and ninety-five oxen or one hundred and two thousand pounds of bacon, fourteen thousand four hundred pounds of salt, nine hundred and sixty thousand pounds of oats, two million four hundred thousand pounds of hay, twenty-eight thousand quarts of spirits, and a large supply of coffee and sugar.

Colonel Woodruff, chief commissary of the Division of the Philippines, in a report from Manila for the year ending June 30, 1901, calls attention to the fact that "the command to be supplied" extended from the great wall of China on the north to the Island of Borneo on the

south and the Island of Guam on the east. There were four hundred and eighty stations in this archipelago, besides the troops in China and the prisoners in Guam.

"In addition to the sixty-eight thousand troops and the three thousand officers in this division, the subsistence department supplied the delicacies for the sick, rations for four thousand prisoners of war, one thousand eight hundred marines, many of the stores for the navy, rations for one thousand civilian employees, and sale stores for the army, navy, and marine officers, the Philippine Commission and attachés and Americans employed by the army and by the government in its treasury, post office, interior and educational departments, metropolitan police, native police and scouts, transports, etc.

"In other words, nearly one hundred thousand persons, occupying a country almost destitute of meat and vegetables, and other food supplies suitable for

Americans, were supplied largely from a single base seven thousand miles distant."

The problem of feeding an army successfully calls for the same kind of ability which is required in the management of any great business undertaking. There must be a well-organized plan in accordance with which the work is to be done, and the officers charged with this work must be possessed of executive ability and the capacity for successful administrative work.

In the development of the great industrial and commercial interests which have marked the material progress of the world during the past century, administrative methods have been so improved that great enterprises are now easily carried on, the magnitude of which in former times would have presented an insuperable obstacle to success. There has also been a change in the nature of the problems which have to be solved in the successful conduct of any great war.

The battlefield will always be the place where wars are decided, but more and more the work which is done before the clash of battle determines the result. Information must be secured as to the enemy's strength, resources, and movements; proper preparation must be made for the organization and mobilization of the fighting force; the men must be supplied with proper arms and ammunition, and they must be suitably clothed; but when all these details have been attended to, the success, even the very existence, of the army depends upon having it properly fed.

In bygone centuries military forces were, almost without exception, fewer in numbers than the mighty hosts that are now assembled when war breaks out between great nations. The custom was almost universal for the soldiers to supply their needs from the locality in which they happened to be.

This had a double demerit. It failed [158]

in many instances to meet the needs of the forces, and hardly less important, it entailed indescribable hardship upon the people who happened to be in the vicinity of the camp. It was almost as great a misfortune in those days to have the friendly forces of the government pass through any portion of the country as to have the enemy invade the land.

The habit of taking from the inhabitants all that was necessary for the maintenance of the army naturally led to excesses in looting and plundering.

When the Black Prince led his forces home through the south of France, through a country peaceable and friendly, he left behind him a dark trail of ruined farms and impoverished villages. The horses of his men were hardly able to carry the burden of plunder which their owners had collected. Therefore every reason of humanity, as well as of common sense, has emphasized the importance of a well-ordered and efficient

system for supplying troops in camp or in field.

In the United States the President is the commander in chief of the land and naval forces, and while it is not expected, as in foreign countries, that he should himself take the field, the responsibility for the direction of the military work which is performed by the army must rest upon him.

The Secretary of War, his personal representative in the Cabinet, is the official under whose direction the military work must be done. General officers are charged with the execution of such military operations as may be decided upon by the President as necessary for the successful conduct of the campaign.

In the War Department there are the chiefs of bureaus, who, under the direction of the Secretary of War, are responsible for the conduct of the work pertaining to their several bureaus.

The quartermaster general, through his

officers and in coöperation with the generals in command of the forces in the field, must provide transportation for the troops, forage for the horses, and tentage for the men; the chief signal officer must see that proper arrangements are made for all needed signal stations, and the installment, when necessary, of the field telegraph line; the surgeon general must care for the health of the troops, and the commissary general has the great and important duty of providing the necessary supplies for officers and men.

When it has been decided that troops are to assemble at any given point, an officer is selected to act as chief commissary at the designated place. He is attached to the staff of the general commanding.

Other officers of the commissary department are designated as purchasing commissaries at the great cities, and in accordance with the directions sent them they buy the flour, beef, bacon, and

other articles necessary for the troops and send them to the designated camp or depot.

There they are received by the commissary officer, and by him, under the direction of the general commanding, distributed to the troops.

The chief commissary with the troops from time to time sends to the commissary general the requisitions, as they are called, for the articles needed. These requisitions specify in detail the quantities and kinds of food which the troops should have. All these stores are invoiced to the commissary, who, as he issues them to the other commissary officers, takes receipts for them.

In this way accounts are kept which show just what is done with all the supplies which are purchased for the army. From the time the first purchase is made until the men receive their rations, officers of the commissary department keep on their official records a statement of

all property received by them and delivered to the other commissary officers or to the troops.

When an army in the field is on the march it must have a sufficient wagon-train with it to carry supplies as well as reserve ammunition. The wagon-train accompanying the troops must be continually supplied by other wagon-trains in the rear, usually beyond the zone occupied by the troops.

General Ingalls, the chief quartermaster of the army operating against Richmond, in one of his reports on the Civil War states that his main supply-trains were at least twenty-five miles in the rear of the troops and were never seen by them.

If there is danger of raids or attacks from the enemy, the trains must be defended, and the work of supplying troops is proportionately increased.

England had at one time in South Africa to supply her troops from a base

which was about six hundred miles away. About twelve years ago the army service corps was organized in England. This corps practically combines the duties which in our service devolve upon the commissary and quartermasters' departments. It is virtually a reëstablishment of the transport service which was organized by the Duke of Wellington, and which was abolished before the Crimean War with such unfortunate results. Its work in South Africa has been generally commended.

When in the field each man carries with him rations for a certain number of days, and in addition to this he carries at least one emergency ration.

The articles which are issued to the soldier for his daily use are described as rations. The army regulations say:

"A ration is the allowance for the subsistence of one person for one day, and varies in components according to the station of the troops or the nature of the

duty performed, being severally known as the garrison ration, the field ration, the travel ration, and the emergency ration. The garrison ration is issued to troops in garrison or in permanent camps; the field ration to troops in the field in active campaign; the travel ration to troops traveling otherwise than by marching, or when for short periods they are separated from cooking facilities; and the emergency ration to troops in active campaign for use on emergent occasions."

The component parts of the different rations are set forth in detail in the army regulations and in orders. The regulations contain the following reference to the emergency ration:

"Troops in active campaign will be supplied with an emergency ration prepared under direction of the War Department, which will not be used at any time or place where regular rations are obtainable. It will be carried in the haversack or saddlebags, and accounted

for at inspection, etc., by the soldier. will not be opened except by order of an officer or in extremity. If improperly opened or lost, the money value will be charged against the soldier." The emergency ration as at present prepared consists of three cakes of chocolate, composed of equal parts of chocolate and sugar, weighing one and one third ounces each, making a total weight of chocolate of four ounces; eight ounces of cracked parched wheat, and four ounces of desiccated meat, all in three cakes of four ounces each. This makes the weight of the emergency ration one pound, exclusive of the can in which it is carried. The ordinary field ration weighs about three pounds.

As the rations which the soldiers carry are consumed they are replenished from the wagon-trains which follow the troops. When conditions permit, the cooking for the entire company is done at one time and by men detailed for that purpose.

[166]

When this is impossible, either a few men join together for the preparation of their rations, or, if necessary, each man can prepare his own rations, as he carries a knife, fork, spoon, cup, and meat-can. The cup may be used to boil his coffee, and the meat-can may be used as a frying pan.

The medical department has a school for teaching the members of the hospital corps to cook for the sick, and at the last session of Congress an appropriation was furnished for this purpose. The commissary general has urged that a similar appropriation be made for the training of army cooks.

One of the many reasons why Napoleon's soldiers were so devoted to him was that he was always watchful of their physical welfare. He wrote to Intendant-General Daru: "It is impossible to employ too many means for furnishing us with provisions. Everything lies in that.

. . . My situation depends on food;

victorious when I have it, uneasy when I am without it. . . Do not spare money in purchasing medicine; purchase wine. See that the hospitals are not without it."

And our own officers, following one of the best of the army traditions, have always shown an intense personal interest in the physical welfare of their men. The American people have always been anxious to have their soldiers receive the best of care, and when troops from all the countries of the civilized world assembled in China, it was found that the commissary supplies which were provided for the American troops exceeded in quantity those issued to the forces of any other country. It is the settled policy of the country that every possible facility should be given our officers, by proper training and experience before war comes, to prepare themselves for the duties which they will then have to perform.









Photo. by T. E. Marr

A GROUP OF OFFICERS AND MEN

HOW THE ARMY IS CLOTHED

BY GENERAL M. F. LUDINGTON

QUARTERMASTER GENERAL, U.S.A.

SOON after a young man enlists in the United States Army at a recruiting station, he is transferred to a recruiting rendezvous, where he is outfitted with the necessary articles of clothing preparatory to joining the organization to which he may be assigned. From that time until the termination of his service. wherever he may be serving, the government provides for him all the essential details of dress from head to foot. This is regulated by the grant to him of an annual money allowance, to be drawn in

How the Army is Clothed

clothing as his needs may require during the term of his enlistment, which is now fixed at three years.

This money allowance is based upon the aggregate cost of a fixed list of articles for the first, second, and third years, respectively. The list of articles is the same for privates and for all grades of noncommissioned officers, except that gold lace and cloth chevrons and trousers stripes are added for noncommissioned officers.

There is some variation in the money allowance for clothing for the cavalry, artillery, and infantry arms, and other organizations of the army, due to the difference in cost of hat trimmings and ornaments and coat facings; but the average allowance now for a private is sixtynine dollars and twelve cents for the first year, thirty-two dollars and thirty cents for the second year, and twenty-nine dollars and forty-seven cents for the third year, making a total of one hundred and

By General M. F. Ludington

thirty dollars and eighty-nine cents for the three years.

This allowance is increased for non-commissioned officers by the cost of chevrons and stripes, averaging from two dollars to eleven dollars for the first year, two dollars to three dollars for the second year, and one dollar and fifty cents to two dollars for the third year.

About five sixths of the allowance for the first year is authorized to be drawn within six months after the soldier's enlistment, and includes certain articles of dress expected to last him through the whole three years of his service. It is to be understood that the allowance for clothing is separate and distinct from the soldier's pay allowance.

A clothing account book is kept by each company, troop, and battery commander, in which the soldier signs a receipt for every article received. The clothing account of the soldier is settled six months after the date of his enlistment, and

How the Army is Clothed

thereafter on June 30th and December 31st of each year. If, at these settlements, it is found that clothing has been drawn in excess of the money allowance for the period, the amount in excess is charged upon the muster rolls and pay rolls, and is deducted at the next pay day from the amount due the soldier on account of his pay allowance. Any balance due the soldier at such settlements, on account of clothing undrawn, remains to his credit on the clothing account book, to be drawn in clothing afterwards if required, or, if not, the final balance due at the date of his discharge from the service is paid to him by the paymaster.

In the army as in civil life, some men are more careful of their clothing than others, hence at the end of their enlistment some soldiers have considerable savings to their credit, while others have little or no clothing money due, or are in debt on such account.

Only the actual average cost of the [174]

By General M. F. Ludington

clothing at the place of purchase or manufacture is charged to the soldier, and in case his clothing is destroyed as a sanitary measure to prevent infection, the articles are replaced free of charge; or in case of loss by fire or flood while he is engaged in saving government property, he is paid the value of his authorized clothing, which may have been lost.

No allowance for clothing is made to commissioned officers. They are required to clothe themselves entirely at their own expense. They are, however, privileged to purchase at cost prices such articles of the soldier's clothing as they may need, and during campaign service they avail themselves of this privilege to a considerable extent.

Before the war with Spain, when the army consisted of twenty-five thousand men, located at the various stations in the United States only, no great difference in the variety of the clothing issued was necessary, but now the clothing sup-

How the Army is Clothed

ply involves a wide range in kinds and weights of articles. For use in Alaska there are supplied, in addition to the heaviest class of woolen army clothing, fur gauntlets and caps, and blanket-lined overcoats, such articles as German socks (to be worn with arctic overshoes), sweaters, Mackinaw overcoats, oilskin coats and trousers, moccasins and shoe pacs; while in Cuba, Porto Rico, and especially in the Philippines, light cotton garments for both outer and under wear are required.

It can readily be understood that in order to have a supply of clothing always available for issue to our army, the needs must be anticipated a long time in advance, and due provision made to meet them by laying in at our clothing depots a large stock of the various materials required for the manufacture of garments.

During and since the war with Spain a new class of garments, made from a twilled

By General M. F. Ludington

cotton goods called "khaki," has come into use in our army to a very large extent. This is the kind of goods the English army, serving in warm climates, has used for a number of years past. It is dyed a peculiar yellow shade, which may be said to be an earth color, and is of a weight and texture suited to comfort and hard usage in tropical and semitropical countries. A soldier dressed in a khaki suit, with leggings of the same color and tan-colored shoes and campaign hat or khaki-colored helmet, presents a very neat appearance.

Until within three years past this khaki material was not used in this country; few people knew about it, and it had never been manufactured in the United States. Now it is in almost universal use by our troops in the Philippines, Cuba, and Porto Rico, and an excellent quality is manufactured in this country in large quantities.

When Cuba; Porto Rico, and the Philippine Islands were occupied by our

How the Army is Clothed

army, it became necessary to establish large issuing depots at Havana, San Juan, and Manila, from which supplies could be promptly distributed to the various military posts and stations in those islands. On account of the large withdrawal of troops from Porto Rico and Cuba, the issuing depots in those islands have been reduced to small proportions, but the large issuing depot at Manila is still necessarily maintained.

When in garrison in the United States the soldier is required to have certain articles of dress uniform, which are worn on occasions of ceremony or parade; he is also provided with other garments for ordinary wear and undress duty, and, in addition, a working suit of brown canvas. When engaged in a campaign or other duty in the field only the undress uniform is worn.

The National Guard forces of the several States and Territories are now uniformed like the regular troops serving

By General M. F. Ludington

in this country in the matter of undress uniform. This similarity of campaign dress is important as in case of any great emergency, calling the whole military force of the country together, all would be found uniformed alike.

Congress makes an annual appropriation of one million dollars for support of the National Guard, and this is allotted to the several States and Territories and the District of Columbia according to the National Guard strength of each, and can be drawn in ordnance or any uniform clothing or quartermaster supplies needed. A good proportion of the allotment is drawn in clothing, and this is supplied from our army clothing depots of the same kinds and quality furnished to the regular army.

The clothing and other stores drawn under this allotment remain the property of the United States, and are accounted for annually to the War Department by the governor of the State or Territory, or

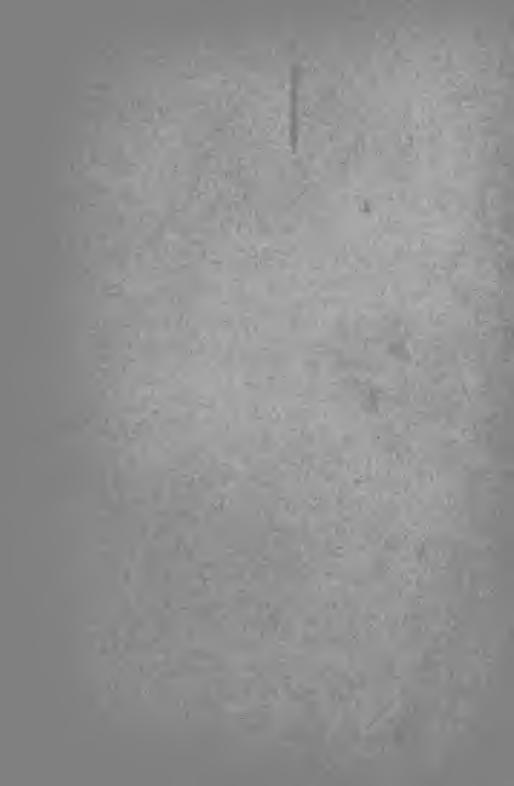
How the Army is Clothed

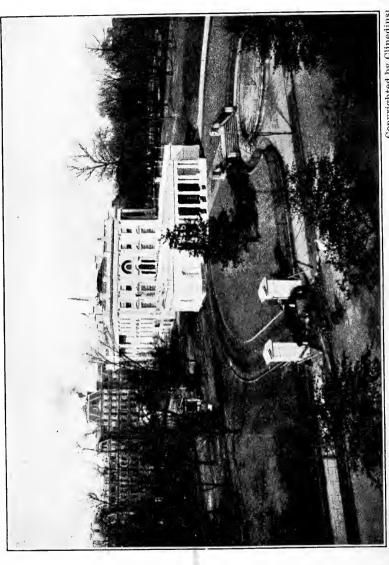
by the commanding general of the District of Columbia.

It can be confidently stated that no better quality and no greater quantity and variety are supplied to the army of any country than are furnished to our own army. Officers connected with the China Relief Expedition, who had full opportunity of contrasting the equipment of the different allied armies, report that our troops were better clothed, especially for the winter, than those of the other nations.









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SHOWING BUILDING OF THE STATE, WAR, AND NAVY DEPARTMENTS EAST END OF THE NEW WHITE HOUSE, IN THE BACKGROUND

GOOD MANNERS AND DIPLOMACY

BY WILLIAM R. DAY

EX-SECRETARY OF STATE

A lincident is told of a trader who, believing himself deceived and cheated by those in whom he had had confidence, exlaimed, "Well, this is diplomacy!"

It is not uncommon to think of diplomacy as a profession for which duplicity is the chief qualification, and this impression has probably been strengthened by the frequent quotation of Wotton's definition of an ambassador as "an honest man sent to lie abroad for the commonwealth."

Permanent ambassadors to foreign courts are said to have originated with Louis XI of France, whose reign ended in 1483. His purpose was not so much to have business representatives abroad as to have the benefit of chartered spies at the court of each of his powerful neigh-"By the middle of the seventeenth century, " says Lawrence in his treatise on International Law, "it had become recognized as the regular manner of carrying on diplomatic intercourse. But it had to win its way against a mass of jealousy and suspicion, largely caused by the unscrupulous character of the early diplomatists. 'If they lie to you, lie still more to them,' said Louis XI to his ambassadors."

However well this method of conducting foreign intercourse would serve for the day in which it was adopted, the world has made such progress that fairness and candor are now as essential to success in a diplomatic capacity as in any

of the private walks of life. A country could not do itself any worse service in the modern courts of nations than to send or to retain a representative whose personal character was not above reproach and whose word could not be implicitly relied upon.

It is, of course, necessary that diplomatic agents should be familiar with the customs, practice, and special forms which are used in diplomatic intercourse. The business of nations, no less than the conduct of parliamentary bodies and the transaction of legal business in the courts, is best conducted with some regard for the essential customs and usages which have been established. But observance of ceremonial requirements is one thing, and that kind of good manners which comes from kindliness of feeling and sincerity of purpose is quite another. A moment's reflection will show how utterly ruinous it would be for a representative of a nation to depart from

candor and fairness in an important negotiation. Not only would the personal relations and social standing so important to his success be destroyed, but his country might be involved in serious complications, if not in war.

Young men in this country who contemplate a diplomatic career, which may some day be a possibility in American life, should adopt the suggestions found in a passage in Wharton's International Law, taken from Bernard on Diplomacy:

That diplomacy has been deeply tainted with the vices of dissimulation and falsehood is certain. Secret treaties, and still more secret articles to published treaties, are in the nature of lies; for a treaty is essentially a public engagement, and to publish a part as a whole, keeping the remainder undisclosed, is to palm off an imposition upon Europe. And yet the arguments for truth and openness in international affairs are plain and irresistible. Without them there can

be no confidence, and on the confidence which a diplomatist inspires his whole success depends. . . . "In politics," says Ségur, "and in stormy times, the true dexterity is a courageous faith. Character saves men from the dangers on which subtlety makes shipwrecks, and firm sincerity alone can give solidity to success or dignify misfortune." "It is scarcely necessary to say," wrote Lord Malmesbury among the suggestions which, late in life, he sent to a young man just entering the profession, "that no occasion, no provocation, no anxiety to rebut an unjust accusation, no idea, however tempting, of promoting the object you have in view, can need, much less justify, a falsehood. Success obtained by one is a precarious and baseless success. Detection would not only ruin your reputation forever, but deeply wound the honor of your court. If, as frequently happens, an indiscreet question which seems to require a distinct answer is put to you by an artful minister, parry it by treating it as an indiscreet question, or get rid of it by a grave and serious look, but on no account contradict the assertion flatly if it be true, or admit it if false and of a dangerous tendency."

[187]

While this should be the rule of conduct of one in the foreign service, it does not mean that the established usage and ceremony of official residence and conduct should be disregarded. The American representatives are instructed to observe as far as practicable these rules and usages in the country of their residence.

At the present day the diplomatic representatives of the United States are forbidden to wear any kind of uniform or official costume which has not been previously authorized by Congress. This prohibition has broken up the practice of wearing court dress on ceremonial occasions abroad. The only departure permitted has been in allowing officers "who have served during the Rebellion as volunteers in the armies of the United States, and who have been, or may hereafter be, honorably mustered out of the volunteer service, to bear the official title and, upon occasions of ceremony, to wear the uniform of the highest grade they

have held by brevet or other commissions in the volunteer service."

This indicates a considerable change in our practice, even from the days of Jacksonian simplicity. When General Jackson was President, Mr. Van Buren, his Secretary of State, in a letter to one of our ministers sent the following instructions:

From a suitable respect to what is understood to be the usage at the several courts of Europe, requiring the members of the diplomatic body accredited to them to wear a court dress upon established occasions, such as their presentation to the sovereigns, or chief executive officers of these governments, respectively, etc., the President thought fit to adopt the following as the dress to be used by our ministers and other diplomatic agents upon all such occasions, which is recommended as well by its comparative cheapness as its adaptation to the simplicity of our institutions, viz.: A black coat with a gold star on each side of the collar, near its termination; the underclothes to be black, blue, or white,

at the option of the wearer, a three-cornered chapeau de bras, a black cockade and eagle, and a steel-mounted sword with a white scabbard. It is to be understood, however, that the use of this particular dress is not prescribed by the President. It is barely suggested by his direction as an appropriate and a convenient uniform dress for the use of our ministers and other diplomatic agents of the United States.

When Mr. Buchanan was at the Court of St. James, in 1854, he had great difficulty in adjusting his costume to the requirements of the English court. In a letter to his niece, Miss Lane, he said:

The dress question, after much difficulty, has been finally and satisfactorily settled. I appeared at the levee on Wednesday last in just such a dress as I have worn at the President's one hundred times: — a black coat, white waistcoat and cravat, and black pataloons and dress boots, with the addition of a very plain black-handled and black-hilted dress sword. This to gratify those who have yielded so much,

[190]

and to distinguish me from the upper court servants. I knew that I would be received in any dress I might wear, but could not have anticipated that I should be received in so kind and distinguished a manner. Having yielded, they did not do things by halves. As I approached the queen an arch but benevolent smile lit up her countenance as much as to say, "You are the first man who ever appeared before me at court in such a dress." I confess that I never felt more proud of being an American than when I stood in that brilliant circle "in the simple dress of an American citizen."

The curious will find an interesting history of court costumes as worn by the officials of the United States in Mr. Fish's note to Mr. Jay, quoted in Wharton's International Law. What would have been thought of the American representatives at the making of the recent Treaty of Paris, had they appeared in the costume adopted by the members of the commission sent to Ghent in 1814, to make peace with Great Britain! There

each commissioner agreed to wear "a blue coat, slightly embroidered with gold, with white breeches, white silk stockings, and gold knee buckles and shoe buckles, a sword, a small cocked hat with a black cockade. For grand occasions the uniform was made somewhat richer." So well did Mr. John Quincy Adams think of this apparel that in 1823, when Secretary of State, he commended it to our ministers abroad and sent them a description and engraved plate.

Important as suaviter in modo is to the transaction of diplomatic business, the successful career of John Quincy Adams, one of the foremost of American diplomatists, illustrates the necessity of the possession of the sterner qualities of courage, self-reliance, and continuity of purpose. In the negotiation of the treaty for the cession of Florida, Mr. Adams was engaged in almost constant negotiation with Don Onis for more than two years.

Declining the meditation of Great Britain, Mr. Adams remained firm in his purpose until the treaty was accomplished. Mr. Morse says, in his "Life of John Quincy Adams":

Had he been a mathematican solving a problem in dynamics, he could not have better measured the precise line to which the severe pressure of Spanish difficulties would compel Don Onis to This line he drew sharply, and taking his stand upon it in the beginning, he made no important alterations in it to the end. by day the Spaniard would reluctantly approach toward him at one point or another, solemnly protesting that he could not make another move, by argument and entreaty almost imploring Mr. Adams in turn to advance and meet him. Mr. Adams stood rigidly still, sometimes not a little vexed by the other's lingering maneuvers, and actually once saying to the courtly Spaniard that he "was so wearied out with the discussion that it had become nauseous "; and again, that he "really could discuss no longer and had given it up in despair." Yet all the while he was never wholly free from anxiety concerning the

accuracy of his calculations as to how soon the Don might on his side also come to a final stand. Many a tedious and alarming pause there was, but after each halt progress was in time renewed. At last the consummation was reached, and, except in the matter of the Sabine boundary, no concession even in details had been made by Mr. Adams.

It is quite possible that the War of 1812 might have been avoided had an English minister of that time exhibited more tact and courtesy in dealing with the differences between the nations. Certainly the conduct and personal bearing of a British diplomatist did much to bring about the ill feeling which resulted in war.

When the attack on the *Chesapeake* by the *Leopard* in 1807 led to President Jefferson's demand for reparation and apology from Great Britain, the English minister then in power sent David Montagu Erskine, son of Lord Erskine, with a view to a settlement of the complications

arising from the affair and the restrictions on commerce. Such were the kindly manner and conciliatory conduct of Mr. Erskine, and his sincere desire to bring about friendly relations between the countries, that he concluded to recommend the repeal of the restrictive orders and reparation for the attack on the *Chesapeake*. On this side there was hearty commendation of the manner in which the President had met these friendly overtures. Unfortunately for both countries, the British ministry declined to ratify Mr. Erskine's convention and recalled the minister.

In his place the British government sent to America a Mr. Francis J. Jackson, whose chief recommendation had been his arrogant and overbearing demeanor in the negotiations with Denmark, which had given him the name of "Copenhagen Jackson." No sooner did he arrive in America than he changed the conciliatory conduct which had been observed by Mr.

Erskine, and began a series of overbearing acts toward the President and the people of the capital. He charged this government with falsehood and duplicity, and when he was not entertained in the manner which he deemed suitable to his dignity, he left the seat of government, visited Baltimore, and then went to New York, alleging fears that he should be mobbed at the capital. At public dinners he gave toasts insulting to the government of the United States. In short. he did everything in his power to irritate and arouse the resentment of the United States. It cannot be doubted that this arrogant treatment, in direct contrast to the dignified bearing of Mr. Erskine, did much to bring about the feeling between the nations which led to war.

This government has been peculiarly fortunate in its representatives in foreign missions, notwithstanding the fact that our ambassadors and ministers have been

uniformly underpaid and remain in the service at great sacrifice of their personal estates.

The consular service of the United States, in spite of the spoils system, has many representatives who have been a credit to their country, and who have done much to promote its interests abroad. It is universally conceded that the American Consular Reports are among the best, if not the best, anywhere published. This does not mean that the American service would not be improved if it were put upon a more adequate basis, if better salaries were given, and if promotion were made to follow upon efficient service.

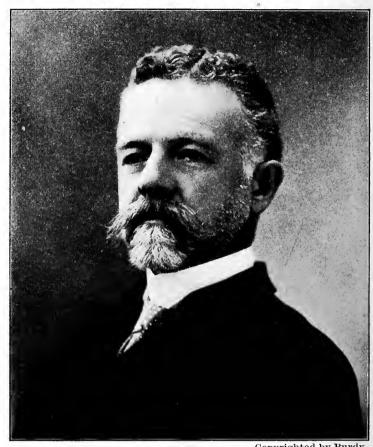
It is to be hoped that a bill may some day be passed by Congress which will enable the educated American, trained by service in the lower grades of his calling, to find a useful and honorable career in the foreign service of his country. Such an American will have no trouble with

ceremonial observances. The habits of politeness, consideration for others, courtesy, and self-restraint, which are the pride of the American home, will be found all-sufficient for conduct abroad.

HOW FOREIGN TREATIES ARE MADE By Henry Cabot Lodge senator from Massachusetts







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HENRY CABOT LODGE

HOW FOREIGN TREATIES ARE MADE

BY HENRY CABOT LODGE

SENATOR FROM MASSACHUSETTS

The second relations with our neighbors are in daily life. Those next door to us interest us most, but all our neighbors are of importance, because what they do in their houses or on their lands affects us also. Thus it comes about that the law provides carefully for a man's rights in his own property, and with equal watchfulness sees to it that in exercising those rights he shall not do so in such a way as to injure any one else.

Nations in this respect are like individ-[201] uals. They, too, have near neighbors and distant ones, and with all they have relations which are of the utmost importance. There is a body of law known as international law, the outgrowth of time and custom, which defines the rights of nations in regard to one another, and to which, as men have grown wiser, more and more heed and obedience have been paid. But there is one important distinction between the law which governs the relations of individual men to each other and that which is known as the law of nations.

In the former case the law has what is known as a sanction; that is, there is a power behind it, that of the State, capable of enforcing it and of punishing those who disobey it. In the case of nations there is no such power. No nation can be obliged to obey the body of custom known as international law, and it cannot be punished for violating its principles, except by war. After the downfall of [202]

By Henry Cabot Lodge

the Roman Empire, and during the long period of disorder and confusion which followed, the only law practically among nations was the law of the strongest. The code was that of Rob Roy:

That he should take who had the power, And he should keep who can.

With the spread of education and the advance of what we call civilization, nations have drawn away more and more from this primitive code, and international law has grown up out of the effort to find certain general principles by which nations should live and try in some measure to avoid constant recourse to war. For the same objects, but by methods far older than our modern system of international law nations made special arrangements with each other which were set forth in writing and solemnly sealed and signed by the representatives of the nations concerned.

These agreements were for every con-[203]

How Foreign Treaties are Made

ceivable purpose; sometimes binding the two or more nations that signed to fight together against a common foe, sometimes to make peace with each other, again to settle a disputed boundary, the ownership of territory, the methods of trade, or the rights of the citizens of each country to visit and live in the other. These agreements between nations are commonly known as treaties.

They resemble in their nature the contracts and agreements for the sale or lease of houses or lands and for many other purposes, which men and women are making under legal forms in everyday life. But here again there is an important distinction. The State is behind the law and can enforce the execution of contracts between individuals, but nothing can enforce a treaty between nations except the good faith of the nations which agree to it, or the superior power of one of the nations and its ability to defeat the other in war.

By Henry Cabot Lodge

Countless treaties have been made among nations, and sooner or later, as history shows, most of them have been broken, although quite often they have had lasting results. As civilization has advanced, the desire to keep treaties and observe their provisions has, however, steadily increased. Nations have come to hold treaties as more and more sacred, and the opinion of the world against breaking them has become constantly stronger.

It is easy to see, when we think of it, how very important treaties are, and how much their importance has increased in modern times. Agreements which bind nations to make war and peace, which may dispose of a nation's possessions or add to them, and which affect the rights of the citizens of a country, are of the utmost gravity and the most far-reaching results. Therefore the authority to make the treaties which thus bind the nation and settle its relation with all other na-

How Foreign Treaties are Made

tions is one of the greatest among the powers of government.

It is one of the highest attributes of a sovereign and independent nation. In England it is a royal prerogative in theory, descending from the days when the king was the sole representative of the country and practically all-powerful. Therefore the king or queen, acting through the ministers, has the power to make treaties, and it is one of the greatest powers of the crown, although in reality the treaty is now made, not by the king but by the ministry, which is a committee of the two Houses of Parliament acting in his name.

In most European countries the power to make treaties is actually, as well as in name, in the hands of the sovereign; and even in England, where all power has passed to Parliament, the old form, as has just been said, is still preserved.

In the United States we have a treatymaking power like all other nations, and [206]

By Henry Cabot Lodge

as the people are sovereign here, that power has been given by them to those chosen to represent them. Every American boy and girl should understand how and by whom our government is carried on, and especially ought they to know about the great powers exercised by their government. Of these powers that of treaty-making is one of the greatest, and should be thoroughly understood.

Perhaps every one understands it now, although from some of the discussions which we have had lately about our arbitration treaty with England, I have been led to believe that there are a good many people in the United States besides boys and girls to whom a little explanation on this point would not be unprofitable.

All the great powers of our national government are fixed and defined by the Constitution. And it is well to remember that one of the chief causes which led to the adoption of the Constitution was the absolute impossibility of dealing with

How Foreign Treaties are Made

other nations in any way except by a single central government. It was out of the question for thirteen different States to enter separately into treaties with other nations, or to make war or peace with them.

Therefore, there was no thought in the mind of any man, when we were framing our national Constitution, not even of the most extravagant advocate of state rights, but that everything which concerned our relations with other nations must be put under the control of the national government. This being agreed, the next point was to settle just how those powers were to be exercised.

At that time these treaty-making powers everywhere belonged to the crown; that is, to the executive head of each nation. But although the men who framed the Constitution desired to make a strong and efficient government, we had just come out of a war against the English crown, and there was a deep-

By Henry Cabot Lodge

rooted jealousy of executive power. The makers of the Constitution wisely gave large powers to the President, who is our executive head, but they limited him in many directions, and they had no intention of conferring on him all the powers exercised by kings and emperors in Europe.

For this reason they gave the authority to make war, the greatest and gravest of all powers, exclusively to Congress, the immediate representative of the people. This was comparatively simple, but when they came to the question of treaties they had a much more difficult problem.

They saw very plainly that in practice the making of treaties could not be conveniently carried on by a large body like Congress. They knew that this was work which could be well performed only by one man or his agents selected for that purpose. At the same time they desired to limit the power, and they also felt that while the President, representing the whole people, should have his part

How Foreign Treaties are Made

in making a treaty, the several States ought also to have something to say about it.

They were a very wise and able body of men, these makers of the Constitution of the United States; no wiser or abler, indeed, were ever gathered together to frame a system of government, a fact which it is well not to forget when we consider what they did. After much discussion they decided to put the treaty-making power in the hands of the President, representing the whole body of the people, and of the Senate, representing the States. The clause in the Constitution which expresses this is simple and direct, and is as follows:

He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

The Constitution further provides that all cases arising under treaties shall come [210]

By Henry Cabot Lodge

within the jurisdiction of the courts of the United States, and also that:

All treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

By this last clause it will be seen how important treaties are and what sanctity the makers of the Constitution conferred upon them, for they declared that when once entered into, they should be not only the law of the land but that no State could affect them by any provisions in its constitution or laws.

That, however, which interests us here is the first clause, which defines how treaties shall be made, and we see that they are to be made by the President and Senate together. Mr. George Ticknor Curtis, in his great work on "The Constitution of the United States," says

How Foreign Treaties are Made

that the Senate has the power under the word "advice" to initiate a treaty, and that this has been done in a few cases; in other words, he holds that the Senate, under the Constitution, has the power to advise the President to make a certain treaty, if he thinks it desirable.

But in practice this construction has been abandoned, for a numerous body is not suited to the work of beginning or carrying on negotiations with another country. Therefore the duty of proposing and entering upon treaties has come to be wholly in the hands of the President.

The methods pursued in practice are the same in all cases, and I will now trace briefly the various stages in the making of a treaty which is to fix the relations of the United States with some other country, and which, when adopted, becomes a part of the law of the land.

Treaties, as I have said, are on all sorts of subjects, from making peace, as we [212]

By Henry Cabot Lodge

did with England after the War of 1812, or with Mexico after the Mexican War, to the settlement of claims for money by citizens or agreements for postal arrangements, which are now usually in the form of conventions and made by the President without reference to the Senate. I will take as an example of the making of a treaty one of the kind which is commonly known as an extradition treaty.

Treaties of this class provide for the surrender of criminals by one country to another. If an American commits a crime in the United States and flies to another country, it is very desirable, in order to serve the ends of justice, that arrangements should be made to get him back here for trial and punishment; and it is for this purpose that treaties of extradition have been made. We will suppose, now, that the United States desires to make a treaty of extradition with the Argentine Republic of South America, and that they desire to make one with us.

How Foreign Treaties are Made

Our Secretary of State suggests to the representative of the Argentine Republic that it would be desirable to have a treaty of extradition between the two countries, or the suggestion is made by the Argentine Republic to us. If this suggestion is acceptable to both sides, the President then empowers the Secretary of State to make the treaty with the Minister of the Argentine Republic in Washington, or else he empowers our Minister at Buenos Ayres to make a treaty with their Secretary of State there.

The persons thus authorized to make the treaty then meet and exchange their powers, as it is called; that is, they show each other the authority which they have to make the treaty. They then discuss the points which it is desired to cover, offer projects and rough drafts, and after much discussion the terms of the treaty are agreed to. This is always a very difficult and important work, for it is a serious matter to bind two nations in

By Henry Cabot Lodge

regard to any question, and the representatives of each country are obliged to be careful that they do not involve their government in a disadvantageous agreement.

When the treaty has been finally drawn up, the representatives of the two governments sign it in duplicate. Our copy of the treaty is then submitted to the President, and if he approves it he sends it to the Senate with a message stating his approval and asking that the Senate concur in what he has done.

The treaty now enters upon its second stage, for the Senate is just as much a part of the treaty-making power as the President, and is equally responsible for the agreement to which the treaty will bind the United States. As soon as the treaty is received by the Senate, it is referred to the Committee on Foreign Relations. This committee then takes up the treaty, reads it and examines it with the utmost care, comparing it with

How Foreign Treaties are Made

other treaties, weighing carefully every article in it, and if necessary, sending for the Secretary of State to explain it, and for all correspondence which there has been in regard to it.

After the members of the committee have thus examined the treaty, they decide whether they shall report it favorably to the Senate or advise its rejection; or whether they shall advise that the Senate concur after making certain amendments or changes in the treaty which they propose.

After the committee has reported the treaty, the Senate goes into secret session and takes it up for consideration. The reason for having the consideration of treaties in secret is a sound one, because the discussion is certain to involve, not only the interests of the United States and their policy toward other countries, but also much is sure to be said in regard to the country with which we are making the treaty.

By Henry Cabot Lodge

If the debates upon treaties were fully reported, as other debates are, it would either be impossible to have them discussed freely, as they ought to be, or else we should run the risk of having many things said which might do a great deal of harm and affect unpleasantly our relations with other countries.

It is true that a certain amount of what happens in executive sessions gets out, but this is of a general character and usually only a trifling portion of the discussion. Most of what has been said in secret session never gets out at all, and for the reasons just given it is well that it should not; and it is also well that no full report of the debates should be made, as is done in the ordinary legislative sessions of the Senate.

After the treaty, then, has been read in the Senate, it is fully discussed; and if amendments are desired they are offered and voted upon. When the discussion is concluded the question is

then put to the Senate in the language of the Constitution, "Does the Senate advise and consent to the treaty?"

In order that the treaty may pass, two thirds of the Senators present and voting must vote in favor of the treaty, and if more than one third of the Senators vote against it, the treaty is rejected. If, however, two thirds of the Senators present vote for the treaty, it is ratified and is then returned to the President with information of what the Senate has done.

If no amendments have been made the President proclaims the treaty, and it then becomes part of the law of the land, by which all American citizens are bound, as they are by their own Constitution and statutes. If, on the other hand, the Senate has made amendments, these amendments are then submitted to the representatives of the country with whom the treaty has been made. If they agree to them the treaty is proclaimed.

By Henry Cabot Lodge

If they do not agree to them further negotiations ensue, and an effort is made to arrange the differences. Sometimes when the President himself disapproves of the amendments made by the Senate, he refuses to proclaim the treaty, and in that case the treaty fails, for no treaty can become a law of the land until it has been proclaimed as such by the President after ratification by the Senate.

Such is the process by which treaties are made, and it will be observed that owing to the provisions of the Constitution every precaution is taken that the work shall be most carefully and thoroughly done. This is as it should be, and shows the wisdom of the men who framed the Constitution, for nothing is more important than that a solemn agreement which is to become the law of the land, involving as it does the honor and the welfare of our country, should be as carefully entered into, as it must be sacredly observed.











John K. Richards

UNCLE SAM'S LAW BUSINESS

BY JOHN K. RICHARDS

SOLICITOR-GENERAL OF THE UNITED STATES

THE famous judiciary act of 1789, which organized the courts of the United States, provided in its last section that there should be appointed "a meet person, learned in the law, to act as Attorney-General for the United States, whose duty it shall be to prosecute and conduct all suits in the Supreme Court in which the United States shall be concerned, and to give his advice and opinion upon questions of law when required by the President of the United States, or when requested by the heads of any

of the departments, touching any matters that may concern their departments."

The same act divided the United States into thirteen districts, and provided for a United States attorney in each district, but gave the Attorney-General no control over the district attorneys. This control was not given until 1861. No department was created, but simply an office; and this was the situation until 1870, when Congress created the Department of Justice.

Although the organization of the courts was one of the earliest things taken up by the First Congress, the judiciary act was not passed and approved by President Washington until September 24th. In the meantime Congress had provided for three Cabinet officers, a Secretary for the Department of Foreign Affairs, now called the Secretary of State, a Secretary for the Department of War, now called the Secretary of War, and a Secretary of the Treasury; so the Attorney-General

was the fourth Cabinet officer created. Fourth in date of creation, the Attorney-General is fourth in Cabinet rank and fourth in the Cabinet line of succession to the presidency, as defined by the act of January 19, 1886.

The salary provided for the first Attorney-General was fifteen hundred dollars a year. That would be a moderate fee now for arguing a single case in the Supreme Court. But the act which fixed that salary provided also that the United States District Judge for Massachusetts should get only twelve hundred dollars a year, for New York fifteen hundred dollars, and for Pennsylvania sixteen hundred dollars.

Still it was a serious task for a Cabinet officer to support his position on fifteen hundred dollars a year even in those days. It was expected he would eke out his salary by outside work.

What a belittling business this was appears in a note in which Edmund Ran-

dolph, Washington's first Attorney-General, unbosomed himself to his most intimate friend in 1790:

"With every frugality, almost bordering on meanness, I cannot live upon it as it now stands. . . . I am a sort of mongrel between the State and the United States; called an officer of some rank under the latter, and yet thrust out to get a livelihood in the former — perhaps in a petty mayor's or county court. . . . I am ready to be confined to the Federal service, how extensive soever: though, by the way, I do more in that way with my own hands than one of the departments with its clerks."

Edmund Randolph was the first of a long line of learned lawyers and able advocates who have filled the office of Attorney-General. In the one hundred and thirteen years of our national life, forty-five men have occupied the place. Six States have furnished twenty-nine of them, Pennsylvania leading with seven,

Massachusetts and Maryland following with five each, while Virginia, Kentucky, and Ohio have each supplied four, — another proof, Pennsylvania would say, of the predominance of the proverbial "Philadelphia lawyer."

Up to the time of the Civil War the Attorney-General himself practically did the work of the office. He was allowed a clerk and a messenger. In 1859, for the first time, an assistant Attorney-General was provided.

The Attorneys-General of antebellum days won their laurels in the Supreme Court as orators and advocates. Some of them passed from the bar to the bench. One—Roger Taney—became Chief Justice. To select any of those great lawyers for special mention seems almost invidious. But they have all passed away, and a word about one or two may not be uninteresting.

William Pinkney was one of Madison's Attorneys-General. He was a pictur-

esque figure. He had served abroad on a diplomatic mission, and returned with all the foreign polish of that day. He was a great orator, with a highly cultivated style. Justice Story said of him: "He possesses, beyond any man I ever saw, the power of elegant and illustrative amplification;" while Chief Justice Taney remarks in his memoirs: "I have heard almost all the great advocates of the United States, both of the past and present generations, but I have seen none equal to Pinkney."

Taney thought Pinkney's defect was his over-artificial manner. "But," said he, "a man who at the age of fifty spoke in amber-colored doeskin gloves could hardly be expected to have a taste for simple and natural elocution. His manner was dressed up, overdressed, like his person."

Referring to the fact that Pinkney left no enduring memorial of his greatness, Taney said: "He loved honors and dis-

tinction and contended for them, and maintained them after they were acquired with unwearied energy. But I am inclined to think he sought and loved them chiefly for the present pleasure they gave him. . . . I think he would not have bartered a present enjoyment for a niche in the temple of fame. He was willing to toil for the former, but made no effort to leave any memorial of his greatness behind him."

William Wirt was another noted Attorney-General. He held the office for twelve years — longer than any one else. He was associated with Webster in the great case of Gibbons vs. Ogden, which grew out of an attempt by the State of New York to grant to Fulton and Livingston the exclusive right to navigate the waters of that State with steamboats. Webster and Wirt contended that Congress had exclusive power to regulate commerce among the several States, and that this grant violated that power.

The court held with them in an opinion of wonderful power and clearness, written by the great chief justice, John Marshall. Wirt, writing to a friend in 1824, said:

"About to-morrow a week will come on the great steamboat question from New York. Emmett and Oakley on one side, Webster and myself on the other. Come down and hear it.

. . . Webster is as ambitious as Cæsar. He will not be outdone by any man, if it is within the compass of his power to avoid it. It will be a combat worth witnessing. I have the last speech and have yet to study the cause; but I know the facts and have only to weave the argument."

The law business of the government increased with rapid strides during and after the Civil War. The need of an organized force, with a responsible head, was seriously felt. Accordingly, in 1870, the Department of Justice was created, with the Attorney-General at its head. The first register of the department, published in 1874, shows a force of forty-five.

[230]

Since then the force has increased fourfold, more than one hundred and eighty persons being now employed in Washington alone.

The Attorney-General is the Cabinet officer of the department, and the part he plays in the administration equals in importance that taken by any of his distinguished associates. On some question touching the power and duty of the executive under the Constitution and the laws, a personal expression of his views is almost daily sought by the President.

Some one is said to have remarked that all a President has to do is to execute the laws. Quite true. But what are these laws? What do they mean? What do they require or authorize the President to do? These are questions the Attorney-General must daily answer.

A distinguished Attorney-General, who afterwards became Secretary of State, has the credit of saying that the place of power in an administration is not that

of Secretary of State, but of Attorney-General. This is a government of law, and the man who determines what the law is and how it shall be enforced wields a power hard to estimate or realize.

To provide the machinery for administering justice, Federal judges, attorneys, and marshals must be provided. The United States with its Territories, continental and insular, constitutes a vast empire, as John Marshall used to say. Many officers are required, and all must be honest, capable, and courageous men. Respect for Federal law and authority, the preservation of peace and good order, rests largely with them.

Their selection is a serious responsibility of which the Attorney-General must bear his share. He consults with Senators and Representatives, hears all who are interested, and gives the President the benefit of his best judgment. Naturally his advice has great weight.

But his responsibility does not end

here. He must not only get good men; he must see that they stay good. He must keep an eye on them and their work. The Attorney-General does this through the medium of a special force of examiners, shrewd, competent, trustworthy men, who travel from district to district, examining, inspecting, and reporting. They are the eyes of the Attorney-General. They go everywhere, and what they observe is reported without fear or favor.

In handling the matter of pardons, the Attorney-General is assisted by a pardon attorney. Every application goes to him. He first secures a report from the district attorney and trial judge. An unfavorable report from them is seldom disregarded.

Then he makes an abstract of the facts presented, and lays the application before the Attorney-General, who transmits it to the President with a recommendation for or against the pardon. An ad-

verse recommendation here is usually conclusive.

The work I have alluded to is so exacting that the Attorney-General has no time now, as he had formerly, to take personal charge of the government cases in the Supreme Court. He does occasionally argue some great constitutional question in which the administration is deeply concerned. But the act organizing the department in 1870 created a new officer, the solicitor-general, next in rank to the Attorney-General, who takes charge of the cases of the government in the Supreme Court, and acts as its representative there.

All the cases go to him. After ascertaining whether or not the Attorney-General wishes to argue any, and after laying aside such as he desires to argue himself, the solicitor-general assigns the others to the assistant attorneys-general for preparation and argument.

There are five assistant attorneys-gen-[234]

eral, who devote themselves chiefly to court work. Two of them are intimately associated with the Attorney-General and the solicitor-general in the discharge of their duties. They assist the Attorney-General in the conduct of correspondence and the preparation of opinions, and aid the solicitor-general in the argument of cases of general interest in the Supreme Court.

Naturally, their work becomes specialized. One has usually argued customs, Chinese exclusion, and prize cases, while the other has been given criminal, internal revenue, and interstate commerce cases.

The United States cannot be sued save by its consent. Congress has therefore provided special tribunals for settling disputed claims against the government. The great court of this class is the Court of Claims at Washington. There is also a Court of Private Land Claims, which sits at Santa Fé, New Mexico, and Phœ-

nix, Arizona, and passes on the validity of Spanish and Mexican titles in those territories. Recently the Spanish Treaty Claims Commission was organized to hear and determine claims growing out of the Spanish-American War.

Many millions of dollars are involved in the cases pending in these tribunals. For each of them the department has a special force of trained lawyers to protect the interests of the government.

An assistant attorney-general, with seven assistant attorneys, defends all claims before the Court of Claims, except Indian depredation claims, which are taken care of by another assistant attorney-general, with some five assistants. An assistant attorney-general, with a special force of attorneys and examiners, defends claims before the Spanish Treaty Claims Commission, while a United States attorney, with special assistants, skilled in the Spanish law, presents the government's side in the Court of Private

[236]

Land Claims. Cases coming from these special tribunals to the Supreme Court are usually argued by the government counsel who had charge of the case below.

Following an immemorial custom, the Supreme Court accords special recognition to the counsel of the government. At the opening of the court seats are reserved at the counsel's table in the center of the bar for the Attorney-General. the solicitor-general, and the assistant attorneys-general. When the time comes for hearing motions, the chief justice turns first to the solicitor-general, who always presents the government's motions. Naturally, the government's representatives are expected to be dressed in a quiet, dignified way. I can fancy the thrill of horror which would run along the bench if one of them should arise in a light suit, with a "loud" tie.

For the purpose of handling current matters with despatch nearly every de-

partment has a trained lawyer, who is a member of the Department of Justice, but who does his work in the department to which he is detailed. Thus there is an assistant attorney-general for the Interior Department, an assistant attorney-general for the Post-Office Department, a solicitor of the Treasury, and a solicitor for the Department of State. Each of these becomes an expert in the law of the department to which he is assigned.

Especially exacting is the work of the assistant attorney-general for the Interior Department. This department has charge of patents, pensions, and public lands, and probably furnishes more law business than any other. Twenty assistant attorneys are required to aid this assistant attorney-general in his work. The solicitor of the Treasury looks after frauds upon the customs revenue, and has charge of the collection and compromise of debts due the United States and control of suits respecting national banks.

[238]

The seal of the department contains the Latin inscription, "Qui Pro Domina Justitia Sequitur." It is said the use of this was suggested to Attorney-General Black by the following passage in Lord Coke's Institutes:

"And I well remember when the Lord Treasurer Burleigh told Queen Elizabeth, 'Madame, here is your attorney-general (I being sent for), qui pro domina regina sequitur,' she said she would have the form of the records altered; for it should be attornatus generalis qui pro domina veritate sequitur."

Black adopted the Latin phrase used by Burleigh, substituting justitia for regina.



THE AMERICAN POST OFFICE BY W. L. WILSON Ex-Postmaster General.









Post-Office Department Building

THE AMERICAN POST OFFICE

BY W. L. WILSON

EX-POSTMASTER-GENERAL

IN the office of the Postmaster-General hangs a little chart giving the postal statistics of the United States for each year since the beginning of the government.

From this chart it appears that in 1790, the first full year of Washington's administration, there were seventy-five post offices and eighteen hundred and seventy-five miles of post routes. The gross revenue was thirty-five thousand nine hundred and thirty-three dollars,

The American Post Office

and gross expenditure, thirty-two thousand one hundred and forty dollars. In 1895 there were seventy thousand and sixty-four post offices, nearly half a million miles of post routes, a gross revenue, in round numbers, of seventy-seven million dollars, and a gross expenditure—not including the earnings of the subsidized Pacific railroads—of nearly eighty-seven millions.

As an example of the salaries, it may be stated that for the year ending with October, 1791, the receipts of the post office at Worcester, Mass., were fifty-eight dollars, of which one dollar was allowed for incidental expenses, thirteen dollars for the compensation of the post-master, and forty-four dollars were turned in as surplus revenue. In 1895 the amount paid to postmasters was over sixteen million dollars.

Between these two dates there is a development whose recital forms the most marvelous and romantic chapter

By W. L. Wilson

of our history. For while the population of the country has increased less than twentyfold, the number of post offices has increased nearly a thousand fold, and receipts and expenditures have increased more than two thousand fold.

The gross revenues of the post office at Pueblo, Col., or Battle Creek, Mich., or Fitchburg, Mass., are now larger than the postal revenues of the entire country in the first year of the administration of Washington. In that year five hundred thousand pieces of mail matter were handled; now over five billion pieces, or an increase of ten thousand fold.

But there was an American postal system prior to the year 1790. True, there was no general post office in England for half a century after the first settlers came to Jamestown, and for nearly a half-century after that was established the few post offices in America were under the patronage of their respective colonies.

But on the "seaventeenth of ffebruary,

The American Post Office

1691-2," William and Mary granted by letters patent to Thomas Neale power and authority "to erect within every or any the Chief Ports of the severall Iselands, Plantacions, or Colonies in America, an Office or Offices for receiving and dispatching away of letters or packquetts." The rates of postage were to be the same as those prescribed by the act of Charles II, "or such other rates as the Planters or others will freely give."

Under this patent Andrew Hamilton was appointed Postmaster-General of America, and was successful in securing concessions from the separate colonies. He established a weekly post from Portsmouth, N.H., southward all the way to Virginia; but in doing this he necessarily ran into debt, for it seems that the expenses of the first four years were about five thousand dollars annually, while the revenue was less than two thousand dollars.

In 1707 the crown brought back the [246]

Neale patent, and in 1710 Parliament erected a post office for America, with New York as the center of operations, and prescribed rates of postage, with summary process for their collection. It may be of interest to note that Virginia, where the parliamentary post office was introduced in 1718, at first resisted, for "the people"—as reported by Spotswood—"called the rates of postage a tax, and believed that Parliament could not lay any tax on them without the consent of their General Assembly."

This feeling soon passed away, for when Franklin, in his examination before Parliament in 1766, was asked by those who were assuming to justify the stamp tax upon America, "Is not the post office, which they have long received, a tax as well as a regulation?" he answered, "No; the money paid for the postage on a letter is not of the nature of a tax. It is merely a quantum meruit for a service done. No person is com-

pellable to pay the money if he does not chuse to receive the service." Franklin was then Deputy Postmaster-General of North America.

From the purchase of the Neale patent until 1775 postmasters were appointed from London, the best known among them being Spotswood of Virginia and Benjamin Franklin. Franklin was appointed postmaster at Philadelphia in 1737 by Colonel Spotswood, late Governor of Virginia, and then Postmaster-General.

"I accepted it," Franklin said, "gladly, and found it of great advantage; for though the salary was small, it facilitated the correspondence with my newspaper, increased the number demanded as well as the advertisements to be inserted, so that it came to afford me a considerable income."

The following is from an advertisement issued by him on October 17, 1737:

The post office is established at Benjamin Franklin's, Market Street, and Henry Pratt is appointed carrier for all stations between Philadelphia and Newport, in Virginia. He sets out about the beginning of each month, and returns at the end of twenty-four days. Private individuals, merchants, and others, can be sure that he will carefully transport their letters, execute faithfully their commissions, having deposited good security therefor with the Honorable Col. Spotswood, Postmaster-General of all His Majesty's Possessions in America.

Franklin was postmaster at Philadelphia from 1737 until he became Postmaster-General for the Northern Division in 1753, in association with William Hunter for the Southern Division, who had been a printer and postmaster at Williamsburg, Va. Franklin was Postmaster-General for twenty-one years, for a large part of which time, however, he was out of the country. He was removed in 1774, as he says, "by a freak of ministers."

In 1772 the London authorities sent 2497

Hugh Finlay to America to report on the posts. The library of the Post-Office Department possesses the original manuscript journal of Finlay, neatly bound in parchment, and written with an accuracy and even artistic finish of handwriting and illustration, which show Mr. Finlay to have been an intelligent, careful, and painstaking business man. His title-page is:

Journal Kept by Hugh Finlay, Surveyor of the Post Roads On the Continent of North America During His Survey of the Post Offices Between Falmouth in Casco Bay in the Province of Massachusetts and Savannah in Georgia; Begun the 13th Septr. 1773 & Ended 26th June 1774.

This volume seems to be as complete a picture of the postal service of the American colonies as an intelligent inspector could give. It is kept in the form of a diary, in which he describes his journey from office to office, with such notes upon postal routes and schedules as he deemed

necessary for the information of the home department, together with reports upon the efficiency of each postmaster, the revenues of his office, and the settlement of accounts which he made with him.

An extract or two from this journal may not be out of place. Finlay first went to Canada, and explored the country from Quebec to Falmouth, three hundred and ten miles, with reference to opening a post route through it. On the 21st of October, 1773, he begins his examination of post offices at Falmouth as follows:

Mr. Child, the deputy there, represents that no allowance has been made to him in lieu of the liberty of franking which was taken from him, and he got the promise of an equivalent, — he says that he advis'd the late Comptroller that he valued his postage at 40 sh. p. ann.

He further represents that the employment is very troublesome to him, and of no manner of advantage, nay, that it is a loss to him, for he cannot withstand the earnest solicitations of in-

digent people who have letters by the post, he delivers them, and never receives payment.

Every person who looks for a letter or a news paper freely enters his house, be it post day or not; he cannot afford to set apart a room in his house as an office; — he is continually disturbed in his family, he therefore begs that some other person may be appointed in his stead, unless an office is allow'd him.

At Portsmouth, N.H., Eleazer Russell was postmaster. Finlay says:

His office is small and looks mean, his books are in good form and up to this day; he is a careful regular officer, he understands his business and seems to have the interest of the office at heart.

He continues:

One Stavers some years ago began to drive a stage coach between Portsmouth and Boston: his drivers hurt the office very much by carrying letters, and they were so artful that the post Master could not detect them; It was therefore Judged proper to take this Man into the pay of the office, and to give two mails weekly between Boston & Portsmouth. This was of no

disadvantage to the Post Office because the mails brought by the stage coach did rather more than pay £10 Str., Stavers's yearly Salary.

Salem, October 11th. Edward Norice, Depy., of whom Finlay says: "His books were not in good order, he follows the form, but they are dirty and not brought up regularly; he understands the business of a deputy. The office is kept in a small, mean-looking place."

He teaches writing. He has no commission to act, he took charge of the office at the death of his Father; he reports that every other day the stage coach goes for Boston, the drivers take many letters, so that but few are forwarded by Post to or from his office. If an information were lodged (but an informer would get tar'd & Feather'd) no Jury would find the fact. It is deemed necessary, to hinder all acts of Parliament from taking effect in America — they are, they say, to be govern'd by Laws of their own framing, and no other.

Finlay makes an elaborate report upon the Boston office, giving the number of

mails with the schedule of their arrival and departure.

Peter Mumford's ride from Boston to New Port is 80 miles passing thro' Providence Warren & Bristol, for which service he is obliged to keep three horses, & is paid £40 Str. p. ann: He avers that he is an expeditious rider and faithful to the office; publick report is against him; it is said that he carrys more letters for his own Private profit, than are sent from all the offices he stops at, to the office at Boston. He transacts a great deal of business on the road, loads his carriage wt. bundles, buys and sells on commission, and inshort but carrys the mail by the by as it helps to defray his expences.

Proceeding southward, Finlay reached "Charles Town" in South Carolina on the 14th of December; and thence by land and water to Savannah, where he finds the postmasters also complaining of the riders:

One Mackenfuss rides between Charles Town, and St. Augustine in East Florida; after the arrival of the packet boats in Charles Town he [254]

sets out with the Mail for Savannah, Sunbury & St. Augustine and returns. This trip he takes twelve times in the year. On one of those trips he fell sick, and employed a man to ride for him, this man came to the office drunk, he delivered about 50 loose letters to Mr. Thompson, — the next day he returned to the office and demanded the letters as his own perquisite, saying that it had been the former practice & that he had been instructed to follow it. Thus was Mackenfuss charg'd with an unwarrantable practise, but when he was question'd on this matter, he denied that he had ever taken any money in this way.

Finlay recommends the establishment of a weekly post between Charleston and Savannah:

Now if a weekly post were here Established, it wou'd be proper to advertise it in the London Papers for sometime, and in the Carolina, Georgia & Florida Coffee houses to make the publick and especially the London Merchants trading to these parts acquainted with the despatch with which their letters can be conveyed from Charles Town to all parts Southward.

The schedule from Charleston, S.C., to Suffolk, in Virginia, a distance of four hundred and thirty-three miles, covered twenty-seven days, an average of sixteen miles a day; letters lying by sixteen days at different offices on the route.

From so thorough a report as that made by Finlay, there is no doubt that the London authorities would have been able to make many improvements in the mail service for the colonies, but the colonies were then preparing for independence, and would no longer tolerate a post office under British control.

The Continental Congress as early as July, 1775, —a year before the Declaration of Independence, — assumed control of the postal service of the colonies, and appointed Benjamin Franklin Postmaster-General for the purpose of running a line of posts from Falmouth or Portland, in Maine, to Savannah in Georgia, with as many cross posts as he might see fit. Franklin's son-in-law, Richard Bache,

was the deputy, and was chosen Post-master-General on November 7, 1776, owing to the absence of Franklin.

I have before me a copy of Franklin's "tables of the port of all single letters carried by post in the Northern District of North America as established by Congress, 1775." Postage is rated in pennyweights and grains of silver at threepence sterling for each pennyweight. The Northern District extended from Falmouth, in Casco Bay, to Suffolk, in Virginia. These tables show the rate on a single letter as follows:

For any distance not exceeding sixty miles, one pennyweight and eight grains; over sixty and not exceeding one hundred, two pennyweights; upward of one hundred and not exceeding two hundred, two pennyweights and sixteen grains; upward of two hundred and not exceeding three hundred, three pennyweights and eight grains. And so on, sixteen grains' advance for every hundred miles. By these

rates, postage on a single sheet from Boston to New York was three pennyweights and eight grains, which made ten pence sterling, or twenty cents in our money.

Richard Bache served as Postmaster-General until January 28, 1782, when Ebenezer Hazard was appointed in his place. Hazard had been deputy postmaster at New York under Franklin, and in a memorial to Congress in November, 1776, prayed for an increase of his compensation as such, declaring that he was not able to employ an assistant; that he "was obliged to leave the city of New York to keep near the headquarters of the army, who are almost the only persons for whom letters come now by post."

He recites the extraordinary expenses, difficulties, and fatigues to which he was subjected by the frequent removal of the army; and his having been obliged for want of a horse, which could not be procured, to follow the army from place to

place on foot, apparently with his postoffice in a knapsack carried by a servant.

Samuel Osgood, of Massachusetts, was the first Postmaster-General under Washington, and a copy of his first report, dated December 9, 1789, two months after his appointment, is now among the archives of the department.

The growth of the American postal system from this time to the introduction of railroads, nearly fifty years, which may be called the stagecoach era, fully kept pace with the growth of the country, and it may be interesting to note, in these days of large postal deficits, that from 1789 to 1834 there were only eleven years in which the Post-Office Department did not turn in some surplus to the Treasury.

The mail originally was confined to letters, and not until 1792 were newspapers admitted by law, and then at the rate of one cent a paper for the first hundred miles, and a cent and a half for

longer distances. At this rate the postage on a daily paper, which was then generally a small four-page at the subscription price of eight dollars a year, would be four dollars and sixty-eight cents for any distance over a hundred miles.

While there was a steady expansion of mail routes and mail facilities, and some improvement in connections and in speed of transmission, there was but slight reduction in the rates of postage during the stagecoach era. Postage on a single letter was six and a quarter cents for thirty miles, increasing with the number of miles until it became twenty-five cents for all distances over four hundred miles: the same rate for every inclosure, no matter how small, and four times the rate if the letter weighed over one ounce.

The late Secretary McCulloch, in his Memoirs, says that on most of the letters received prior to 1845 by the bank at Fort Wayne, Indiana, of which he was cashier, the postage was one dollar and

upward, which shows that the post office clerks were very careful in ascertaining how many pieces of paper constituted a letter, charging as much for an inclosed check as for the letter.

To show what these rates then meant to the people of that part of the country, the following extract from a letter which I have received from Mr. W. H. Wallace, Sr., postmaster at Hammondsville, Ohio, — probably the oldest postmaster in point of service, having been connected with it since 1831, — may be of interest:

On a letter that came four hundred miles and over I have taken from the farmer five dozen eggs, or four pounds of butter, or two bushels of oats, or two bushels of potatoes, or two-thirds of a bushel of wheat, and to pay for thirty-two such letters it would cost the price of a good milch cow. . . . I passed over the first thirteen miles of railroad built in the United States, — Baltimore & Ohio, — capacity of coach, twelve to fifteen persons; motive power, two horses tandem; rate of speed, ten miles an hour.

What a development of our postal facilities has taken place during the official service of this venerable postmaster! If foretold to the men who founded our government it would have seemed a story of miracles passing human belief. A few striking comparisons will bring this home to us.

The entire revenue of the post office in the first year of Mr. Jefferson's administration would not now pay the salaries of one half the letter carriers in the city of Philadelphia alone.

The net expenditures of the government in the last year of Mr. Monroe's administration fall more than a million short of the sum appropriated for the free delivery system of the year 1895.

The average yearly revenues of the department in Mr. Lincoln's administrations were less than the present yearly pay of our letter carriers; and the expenditures of the Post-Office Department are now one and a half times greater than the

cost of supporting the Federal government at the beginning of the Civil War.

Of the two hundred thousand post offices listed in the Directory of the Universal Union, which practically includes the postal system of the world, over seventy thousand are in this country.

The Post-Office Department of the United States is to-day the largest business machine that has ever existed in the world, and is daily engaged in the strenuous task of keeping pace with and outstripping the growth of our country and its quick adoption of all the forces of modern progress, whether material or social.

It serves an exacting master, and is so anxious to merit the favor and confidence of that master that it is always on the strain to adopt every improvement and to welcome every device or innovation by which it can extend its facilities, quicken its deliveries, or make its service safer.

To recite the successive steps of the progress of the Post-Office Department

from a colonial system to a continental system, and from an American to a world-wide service, would be as full of interest and instruction as the most thrilling story.

The letter whose transmission cost more than a dollar in the early forties will now travel with greatly increased speed and safety from Key West, Florida, to Juneau, Alaska, or from any office in the United States to any office in Mexico or Canada, for two cents. Five cents will carry it as fast as steam cars and steamships can speed to any place in the civilized world.

As the American post office bound the colonies together, years before they dreamed of any other bond of union, so the Postal Union to-day binds all the enlightened countries of all the continents in one great family. Its Universal Postal Congress, which meets once in five years, is a visible and potential realization of the poet's "Parliament of man, the federation of the world."

[264]









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